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इस भाग में चिन्ह पृष्ठ संख्या वी आती है जिससे कि यह प्रत्येक संख्या के बग में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

(राजा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राष्ट्र के प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी निये गए सांबित्रिक भावेश और प्रधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

भावेश

नई दिल्ली, 22 दिसम्बर, 1975

का०ग्रा० 634.—यस्. निर्वाचन आयोग का समाधान हो गया है कि 1974 में शुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 287-मार्यानगर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बिशन शंकर, 26/65, शंकर गंज, शंकर निवास, कानपुर, उत्तर प्रदेश, सांकेतिक प्रतिनिधित्व अधिनियम, 1951 तथा तदोन्न बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा वालिल करने में असफल रहे हैं;

प्रौर, यह: उक्त उम्मीदवार ने, उसे सम्पूर्ण सूचना दिये जाते पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, प्रौर, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः प्रब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बिशन शंकर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सरस्व

जुने जाने भौंर होने के लिए इस भावेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. उ०००-वि०००/287/74(454)]

ELECTION COMMISSION OF INDIA
ORDER

New Delhi, the 22nd December, 1975

S.O. 634.—Whereas the Election Commission is satisfied that Shri Bishan Shankar, 26/65, Shankarganj, Shankar Niwas, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 287, Arya Nagar assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bishan Shankar to be disqualified for being chosen as and for being a member of either House of Parliament or

of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/287/74(454)]

आदेश

कांगड़ा० 635.—यतः निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 287-आर्यानगर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री मुनीर अहमद, 79/36, बंसमण्डी, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

ग्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अवश्य स्पष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

यतः यद्य, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री मुनीर अहमद को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवश्य विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं० उ०प्र०-वि०स०/ 8/74(455)]

ORDER

S.O. 635.—Whereas the Election Commission is satisfied that Shri Munir Ahmad, 79/36, Bansmandi, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 287, Arya Nagar assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Munir Ahmad to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/287/74(455)]

आदेश

कांगड़ा० 636.—यतः निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 287-आर्यानगर निर्वाचन क्षेत्र के चुनाव लड़ने वाले उम्मीदवार श्री शेर सिह नेगी, 47/1, विजय नगर, कानपुर, 'उत्तर प्रदेश लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

ग्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अवश्य स्पष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

यतः यद्य, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री शेर सिह नेगी को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवश्य विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं० उ०प्र०-वि०स०/287/74 (456)]

ORDER

S.O. 636.—Whereas the Election Commission is satisfied that Shri Sher Singh Negi, 47/1, Vijai Nagar, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 287, Arya Nagar assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sher Singh Negi to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/287/74(456)]

आदेश

कांगड़ा० 637.—यतः निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 287-आर्यानगर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री अनन्त राम, 11/344, सूटर गंज, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का रेति से लेखा दाखिल करने में असफल रहे हैं;

ग्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अवश्य स्पष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

यतः यद्य, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री अनन्त राम को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवश्य विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं० उ०प्र०-वि०स०/287/74 (457)]

ORDER

S.O. 637.—Whereas the Election Commission is satisfied that Shri Anant Ram, 11/344, Sooterganj, Kanpur, Kanpur District, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 287, Arya Nagar assembly constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said

Shri Anant Ram to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/287/74(457)]

प्रावेश

का०आ० 638.—यतः, निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचित के लिए 289-जरनलगंज निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री आर० डी० फैकलीन, 15/45, सिलिं लाइन्स, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा वाखिल करने में असफल रहे हैं;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

यतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री आर० डी० फैकलीन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्दित घोषित करता है।

[सं० उ०प्र०-वि०स०/289/74 (458)]

ORDER

S.O. 638.—Whereas the Election Commission is satisfied that Shri R. D. Franklin, 15/45-Civil Lines, Kanpur Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 289, Generalganj assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri R. D. Franklin to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No UP-LA/289/74(458)]

प्रावेश

का०आ० 639.—यतः, निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचित के लिए 289-जरनलगंज निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रिशी कुमार, 28/88 फौलदाना कानपुर, उत्तर प्रदेश लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा वाखिल करने में असफल रहे हैं;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

यतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री रिशी कुमार को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्दित घोषित करता है।

[सं० उ०प्र०-वि०स०/289/74 (459)]

ORDER

S.O. 639.—Whereas the Election Commission is satisfied that Shri Rishi Kumar, 28/88, Pheelkhana, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 289, Generalganj assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Rishi Kumar to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/289/74(459)]

प्रावेश

का०आ० 640.—यतः, निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचित के लिए 289-जरनलगंज निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री हरि शंकर, 11/245, सूटरगंज, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा वाखिल करने में असफल रहे हैं;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

यतः प्रब्र, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री हरि शंकर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्दित घोषित करता है।

[सं० उ०प्र०-वि०स०/289/74 (460)]

ORDER

S.O. 640.—Whereas the Election Commission is satisfied that Shri Hari Shanker, 11/245, Sooterganj, Kanpur Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 289, Generalganj assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Hari Shanker to be disqualified for being chosen

as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/289/74(460)]

आदेश

कांगड़ा। 641।—यतः निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 292-कल्यानपुर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री प्रकाश, 118/442-E, कौशलपुरी, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

प्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या आयोचित नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री प्रकाश को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ०प्र०-वि०स०/292/74 (461)]

ORDER

S.O. 641।—Whereas the Election Commission is satisfied that Shri Prakash, 118/442E, Kaushalpuri, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 292, Kalyanpur assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Prakash to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/292/74(461)]

आदेश

कांगड़ा। 642।—यतः निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 292-कल्यानपुर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री राम अवध, 122/400, शास्त्रीनगर, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

प्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि

उसके पास इस असफलता के लिए कोई पर्याप्त कारण या आयोचित नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री राम अवध को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ०प्र०-वि०स०/292/74 (462)]

ORDER

S.O. 642।—Whereas the Election Commission is satisfied that Shri Ram Awadh, 122/400, Shastri Nagar, Kanpur Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 292, Kalyanpur assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ram Awadh to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/292/74(462)]

आदेश

कांगड़ा। 543।—यतः निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 293-सरसाल निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री देवी प्रसाद, ग्राम बोस्ट नर्सल, जिला कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

प्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या आयोचित नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में, निर्वाचन आयोग एतद्वारा उक्त श्री देवी प्रसाद को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ०प्र०-वि०स०/293/74 (463)]

ORDER

S.O. 643।—Whereas the Election Commission is satisfied that Shri Devi Prasad, Village and P.O., Narwal, District Kanpur Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 293, Sarsaul assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore in pursuance of section 10-A of the said Act, the Election Commission hereby declares the said Shri Devi Prasad to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/293/74(463)]

आवेदन

का० ४४.—यतः, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 295-भोगनीपुर (प्र० जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री लाल अच्छ, ग्राम व पौ० अमरौद्धा, जिला कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेज्या वाखिल करने में असफल रहे हैं;

ग्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकात्य नहीं है;

ग्रौर, यतः उक्त अधिनियम की धारा 10-क के अनुसारण में निर्वाचन आयोग एतद्वारा उक्त श्री लाल अच्छ को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं० उ०प्र०-वि०स०/295/74 (464)]

ORDER

S.O. 644.—Whereas the Election Commission is satisfied that Shri Lal Chandra, Village and P.O. Amraudha, District Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 295-Bhognipur (SC) assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the said Shri Lal Chandra to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/295/74(464)]

आवेदन

मई विली, 23 दिसंबर, 1975

का० ४५.—यतः, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 285-जहानाबाद निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री राजेन्द्र कुमार, कस्ता कोडा, जहानाबाद, तहसील बिल्की, जिला फतेहपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेज्या वाखिल करने में असफल रहे हैं;

ग्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकात्य नहीं है;

ग्रौर, यतः उक्त अधिनियम की धारा 10-क के अनुसारण में निर्वाचन आयोग एतद्वारा उक्त श्री राजेन्द्र कुमार को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं० उ०प्र०-वि०स०/285/74 (465)]

ORDER

New Delhi, the 23rd December, 1975

S.O. 645.—Whereas the Election Commission is satisfied that Shri Rajendra Kumar, Town Kora Jahanabad, Tahsil Bindki, District Fatehpur Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 285-Jahanabad assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure,

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the said Shri Rajendra Kumar to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/285/74(465)]

आवेदन

का० ४६.—यतः, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 285-जहानाबाद निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री राम कुमार, ग्राम व पौ० अमीरी, जिला फतेहपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेज्या वाखिल करने में असफल रहे हैं;

ग्रौर, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकात्य नहीं है;

ग्रौर, यतः उक्त अधिनियम की धारा 10-क के अनुसारण में निर्वाचन आयोग एतद्वारा उक्त श्री राम कुमार खो संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं० उ०प्र०-वि०स०/285/74 (466)]

ORDER

S.O. 646.—Whereas the Election Commission is satisfied that Shri Ram Kumar, Village and P.O. Amauli, District Fatehpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 285-Fatehpur assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the said Shri Ram Kumar to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/285/74(466)]

प्रावेश

का० प्रा० 647.—यतः, निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचित के लिए 296-राजपुर निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री इफतखारुद्दीन, ग्राम अक्सरिया, पत्तालय मुसानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा लद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्यर्थों का कोई भी लेखावालिक करने में असफल रहे हैं;

ओर, यतः उक्त उम्मीदवार ने, उसे सम्पत्ति का सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्वष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

यतः ग्रब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री इफतखारुद्दीन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आयोग की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ०प्र०-य०स०/296/74(467)]

ORDER

S.O. 647.—Whereas the Election Commission is satisfied that Shri Iftekharuddin, Village Afsaria, P.O. Madiapur, District Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 296-Rajpur assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Iftekharuddin to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/296/74(467)]

प्रावेश

का० प्रा० 648.—यतः, निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचित के

लिए 296-राजपुर निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री भगवानदीन, ग्राम खिरियन मुरादाबाद, जिला कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा लद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्यर्थों का कोई भी लेखा वालिक करने में असफल रहे हैं;

ओर, यतः उक्त उम्मीदवार ने, उसे सम्पत्ति का सूचना दिये जाने पर भी, आयोग इस असफलता के लिए कोई कारण अथवा स्वष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

ग्रब, ग्रब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री भगवानदीन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आयोग की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ०प्र०-य०स०/296/74(468)]

ORDER

S.O. 648.—Whereas the Election Commission is satisfied that Shri Bhagwan Din, Village Khiriyapur, P.O. Mobsangar, District Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 296-Rajpur assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas, the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10-A of the said Act, the Election Commission hereby declares the said Shri Bhagwan Din to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/296/74(468)]

प्रावेश

का० प्रा० 649.—यतः, निर्वाचित आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचित के लिए 402-बरनवा निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री चतर सिंह, हमुमानपुरी, सूरज कुण्ड, मेरठ, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा लद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्यर्थों का कोई भी लेखा वालिक करने में असफल रहे हैं;

ओर, यतः उक्त उम्मीदवार ने, उसे सम्पत्ति का सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्वष्टीकरण नहीं दिया है, और, निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

ग्रब, ग्रब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री चतर सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आयोग की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उ० प्र० य० स०/102/74 (469)]

ORDER

S.O. 649.—Whereas the Election Commission is satisfied that Shri Chatar Singh, Hanumanpuri, Suraj Kund, Meerut, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 402-Barnawa assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Chatar Singh to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/402/74(469)]

आदेश

तर्हि खिली, 26 दिसम्बर, 1975

का०आ० 650.—यह, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 227-बलिया निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रामेश्वर सिंह, निवासी व पोस्ट गोला दवानी, जिला बलिया, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अवैधित मरने निर्वाचन व्यवों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यह: उक्त उम्मीदवार ने, उसे सम्बन्धित सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रवृत्ति स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए इस आदेश की तारीख तीन वर्ष की कालाकारी के लिए निर्दिष्ट घोषित करता है;

अतः यह, उक्त उम्मीदवार ने, उसे सम्बन्धित सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रवृत्ति स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकियत्व नहीं है;

अतः यह, उक्त उम्मीदवार ने, उसे सम्बन्धित सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रवृत्ति स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकियत्व नहीं है;

अतः यह, उक्त उम्मीदवार ने, उसे सम्बन्धित सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रवृत्ति स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकियत्व नहीं है;

[सं० उ०प्र०-वि०स०/227/74(471)]

ORDER

New Delhi, the 26th December, 1975

S.O. 650.—Whereas the Election Commission is satisfied that Shri Rameshwar Singh, Shital Dawani, Ballia, District Ballia, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 227-Ballia assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Rameshwar Singh to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/227/74(471)]

आदेश

का०आ० 651.—यह, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 256-शाहगंज (आ०आ०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री सोनेन, बाजार जेत सराय, जिला जोनपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अवैधित मरने निर्वाचन व्यवों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यह: उक्त उम्मीदवार ने, उसे सम्बन्धित सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण प्रवृत्ति स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकियत्व नहीं है;

अतः यह, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सोनेन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रवृत्ति विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख तीन वर्ष की कालाकारी के लिए निर्दिष्ट घोषित करता है।

[सं० उ०प्र०-वि०स०/256/74(472)]

ORDER

S.O. 651.—Whereas the Election Commission is satisfied that Shri Sochan, Bazar Khet Sarai, P.O. Khet Sarai, District Jaunpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 256, Shahnganj (SC) assembly constituency, has failed to lodge an account of his election expenses within the time and in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sochan to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/256/74(472)]

आदेश

का०आ० 652.—यह, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 288-सीसामऊ (आ०आ०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री फूल चन्द्र अम्बेदकर, 105/344, चमनगंज, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अवैधित मरने निर्वाचन व्यवों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यह: उक्त उम्मीदवार ने, उसे सम्बन्धित सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रवृत्ति स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकियत्व नहीं है;

अतः यह उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री फूल चन्द्र अम्बेदकर की संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रवृत्ति विधान परिषद के सदस्य

चुने जाने और होने के लिए इस भावेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. उ०प्र०-वि०स०/288/74(473)]

ORDER

S.O. 652.—Whereas the Election Commission is satisfied that Shri Phool Chand Ambedkar, 105/344, Chamanganj, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 288, Sisamau (SC) assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Phool Chand Ambedkar to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/288/74(473)]

आदेश

का० आ० ८५३.—यह, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 288-सीमामऊ (ग्र०जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बाके बिहारी, 119/490 दर्शनपुरखा, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा घोषित अपने निर्वाचन व्ययों का कोई भी सेवा दाखिल करते में असफल रहे हैं;

प्रीत, यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, प्रीत, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकालीन नहीं है;

प्रत: प्रब्ल, उक्त उम्मीदवार की धारा 10-क के अनुसारण में निर्वाचन आयोग एतद्वारा उक्त श्री बाके बिहारी को संसद के किसी भी मदन के भा किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस भावेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. उ०प्र०-वि०स०/288/74(474)]

ORDER

S.O. 653.—Whereas the Election Commission is satisfied that Shri Bankey Behari, 119/490, Darshanpurwa, Kanpur Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 288, Sisamau (SC) assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bankey Behari to be disqualified for being chosen as and for being a member of either House of Parliament or

of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/288/74(474)]

आदेश

का० आ० ८५४.—यह, निर्वाचन आयोग का समाधान हो गया है कि 1974 में हुए उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन के लिए 288-सीमामऊ (ग्र०जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री लालता प्रसाद बुन्डेला, 105/440, चमनपांज, प्लाट नं०, 1 डाकघर सीमामऊ, कानपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा घोषित अपने निर्वाचन व्ययों का कोई भी सेवा दाखिल करते में असफल रहे हैं;

प्रीत, यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, प्रीत, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकालीन नहीं है;

प्रत: अब, उक्त अधिनियम की धारा 10-क के अनुसार में निर्वाचन आयोग एतद्वारा उक्त श्री लालता प्रसाद बुन्डेला को संसद के किसी भी सदस्य के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस भावेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. उ०प्र०-वि०स०/288/74(475)]

ए० एन० सेन, सचिव

ORDER

S.O. 654.—Whereas the Election Commission is satisfied that Shri Lalta Prasad Bundela, 105/440, Chamanganj, Plot No. 1, P.O. Sisamau, Kanpur, Uttar Pradesh, a contesting candidate for election to the U.P. Legislative Assembly from 288-Sisamau(SC) assembly constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Lalta Prasad Bundela to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-LA/288/74(475)]

A. N. SEN, Secy.

विविध, न्याय और कल्याणी कार्य मंत्रालय

(कल्याणी कार्य विभाग)

नई दिल्ली, 27 जनवरी, 1976

का० आ० ६५५.—एकाधिकार एवं निर्बन्धनकारी व्यापार प्रयोग अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसार में, केन्द्रीय सरकार एतद्वारा भेसर्व कालिन्टी इंस्टीट्यूट्स प्राइवेट लिमिटेड (पहले साराभाई एम० केमीकल्स प्राइवेट लिमिटेड नाम से प्रगिष्ठित) हें के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण-प्रमाण-पत्र संख्या 616/70 दिनांक 14 नवम्बर, 1970) के निरस्तीकरण को अधिकृत करती है।

[संख्या 2/31/74-एम०-2]

MINISTRY OF LAW, JUSTICE AND COMPANY
AFFAIRS

(Department of Company Affairs)
New Delhi, the 27th January, 1976

S.O. 655.—In pursuance of sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) the Central Government hereby notifies the cancellation of registration of M/s. KALINDI INVESTMENTS PRIVATE LIMITED (formerly known as Sarabhai M. Chemicals Pvt. Ltd.) under the said Act (certificate of registration No. 616/70 dated the 14th November, 1970).

[No. 2/31/74-M. II]

का० आ० 656.—एकाधिकार एवं निर्बन्धनकारी व्यापार प्रथा अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्से प्राइवेट लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 544/70 दिनांक 12 नवम्बर, 1970) के निरस्तीकरण को अधिसूचित करती है।

[सं० 2/34/74-एम०-2]

S.O. 656.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of registration of M/S. KARAMCHAND PREMCHAND PRIVATE LIMITED under the said Act (certificate of registration No. 541/70 dated the 12th November, 1970).

[No. 2/34/74-M. II]

का० आ० 657.—एकाधिकार एवं निर्बन्धनकारी व्यापार प्रथा अधिनियम 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्से सरकन प्राइवेट लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण पत्र संख्या 554/70 दिनांक 12 नवम्बर, 1970) के निरस्तीकरण को अधिसूचित करती है।

[सं० 2/35/74-एम० II]

S.O. 657.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) the Central Government hereby notifies the cancellation of registration of M/S. SERCON PRIVATE LIMITED under the said Act (Certificate of registration No. 554/70 dated the 12th November, 1970).

[No. 2/35/74-M. II]

का० आ० 658.—एकाधिकार एवं निर्बन्धनकारी व्यापार प्रथा अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्से टेलीरेइ प्राइवेट लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 609/70 दिनांक 14 नवम्बर, 1970) के निरस्तीकरण को अधिसूचित करती है।

[संख्या 2/39/74-एम० 2]

S.O. 658.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) the Central Government hereby notifies the cancellation of the registration of M/S. TELERAD PRIVATE LIMITED under the said Act (certificate of registration No. 609/70 dated the 14th November, 1970).

[No. 2/39/74-M. II]

का० आ० 659.—एकाधिकार एवं निर्बन्धनकारी व्यापार प्रथा अधिनियम 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्से बेक्यूबाई अम्बालाल प्राइवेट लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 544/70 दिनांक 12 नवम्बर, 1970) के निरस्तीकरण को अधिसूचित करती है।

[संख्या 2/1/75-एम० 2/]

वेद प्रकाश उपल, ग्रन्त सचिव

S.O. 659.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) the Central Government hereby notifies the cancellation of registration of M/S. BAKUBHAI AMBALAL PRIVATE LIMITED under the said Act (certificate of registration No. 544/70 dated the 12th November, 1970).

[No. 2/1/75-M. II]

V. P. UPPAL, Under Secy.

गृह मंत्रालय

आदेश

नई दिल्ली, 30 जनवरी, 1976

का. आ. 660.—भारत रक्षा और आन्तरिक सुरक्षा नियम, 1971 के नियम 30 के उपनियम (2) के अनुसरण में केन्द्रीय सरकार, प्राधिकृत आप्रवासन जांच चाँकियाँ (चैक पोस्ट) और भारत में प्रवेश के स्थानों के प्रभारी सभी पुरीलस अधिकारियाँ को उक्त उपनियम के प्रयोजनके लिए हस आदेश द्वारा प्राधिकृत करती हैं।

राष्ट्रपति के आदेश से और उनके नाम में

[सं. 2/20013/50/75-एस. एण्ड पी. (ही.4)]

सी. वी. नरीसम्हन, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 30th January, 1976

S.O. 660.—In pursuance of sub-rule (2) of Rule 30 of the Defence and Internal Security of India Rules, 1971, the Central Government hereby authorises all police officers in charge of authorised Immigration checkposts and places of entry into India, for the purposes of the said sub-rule.

By Order and in the Name of the President

[No. II/20013/50/75-S & P(D. IV)]

C. V. NARASIMHAN, Jt. Secy.

विद्युत मंत्रालय

(राजस्व प्रौद्योगिकी विभाग)

प्रायोगिक और धनकर

नई दिल्ली, 9 अक्टूबर, 1975

का० आ० 661.—प्रायोगिक अधिनियम 161 (1961 का 43) की धारा 803 की उपधारा (1) के खण्ड (ii) द्वारा प्रदत्त अक्षियों का प्रयोग करते हुए, केन्द्रीय सरकार इण्डिस्ट्रियल रिकल्यूकेशन कार्पोरेशन आक इण्डिया लिमिटेड द्वारा 1 प्रगति, 1975 प्रौद्योगिक 31

मार्च, 1977 के बीच जारी किए गए 6% 10 वर्षीय बमध्यत 1985—विद्वानीय भावनी को उक्त खण्ड के प्रयोजनों के लिए विनियोजित करती है।

[सं. 130/फा० सं. 178/64/75-आई० टी० (ए० आई०)]
सी० सी० गणपति, प्रब्रह्म सचिव

MINISTRY OF FINANCE
(Department of Revenue and Insurance)
(INCOME-TAX & WEALTH-TAX)

New Delhi, the 9th October, 1975

S.O. 661.—In exercise of the powers conferred by clause (ii) of Sub-section (1) of Section 80L of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the 6 per cent 10 Years Bonds 1985—Second Series—issued by the Industrial Reconstruction Corporation of India Ltd. between the 1 August 1975 and the 31 March 1977 for the purposes of the said clause.

[No. 1130/F. No. 178/64/75-IT(AI)]
C. C. GANAPATHY, Additional Secy.

नई दिल्ली, 6 दिसम्बर, 1975

(आयकर)

का० आ० 662.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 80G की उपधारा (2) (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री मंगलनाथ स्वामी मन्दिर, भील उत्तर को समनाई, रामनाथपुरम् तालुक और जिला, को उक्त धारा के प्रयोजनों के लिए तमिलनाडु राज्य में सर्वेत विल्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं. 1162/फा० सं. 176/95/75 आई० टी० (ए० आई०)]
टी० पी० शुनशुनवाला, उप-सचिव

New Delhi, the 6th December, 1975

(INCOME TAX)

S.O. 662.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies Sri Mangalanathaswamy Temple, Thiru Uthira Kosamangal, Ramanathapuram Taluk and Distt. to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 1162/F. No. 176/95/75-IT(AI)]
T. P. JHUNJHUNWALA, Dy. Secy

नई दिल्ली, 15 दिसम्बर, 1975

का० आ० 663.—सर्वेताधारण की जानकारी के लिये अधिसूचित किया जाता है कि निम्नलिखित संस्था को विहित प्राधिकारी, भारतीय चिकित्सा अनुसंधान परिषद द्वारा, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनों के लिये केवल अनुसन्धान के प्रयोजनों के लिये अनुमोदित किया गया है।

संस्था

हस्तीमल संचेती मेमोरियल ट्रस्ट पुणे।

यह अधिसूचना इस तारीख से दो वर्ष की प्रवधि तक प्रभावी रहेगी।

[सं. 1164/फा० सं. 203/31/75—आई० टी० (ए०)]
एम० क० पाण्डे, प्रब्रह्म सचिव

New Delhi, the 15th December, 1975

S.O. 663.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 for research purposes only.

INSTITUTION

HASTIMAL SANCHETI MEMORIAL TRUST, POONA

The notification will be effective for a period of two years from this date.

[No. 1164/F. No. 203/31/75-IT(AII)]

M. K. PANDEY, Under Secy.

नई दिल्ली, 18 दिसम्बर, 1975

का० आ० 664.—भायकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री के० स्वामीनाथन को जो केन्द्रीय सरकार के राजपत्रित प्रधिकारी हैं, उक्त अधिनियम के प्रधीन कर वसूली प्रधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. अधिसूचना सं. 701 [फा० सं. 404/15/74—आई० टी० सी० सी०] तारीख 14 अगस्त, 1974 के प्रधीन की गई श्री ई० पी० आस्वाले कि नियुक्ति तुरन्त रद्द की जाती है।

3. यह अधिसूचना तुरन्त प्रवृत्त होगी।

[सं. 1168/फा० सं. 404/98/75—आई० टी० सी० सी०]
वी० पी० मिस्ट्रेस उप-सचिव

New Delhi, the 18th December, 1975

S.O. 664.—In exercise of the powers conferred under sub-section (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri Swaminathan, who is a Gazetted Officer of the Central Government to exercise the powers of Tax Recovery Officer under the said Act.

2. The appointment of Shri E. P. Aswale, made under Notification No. 701 (F. No. 404/15/74-ITCC) dated 14th August, 1974 is hereby cancelled with immediate effect.

3. This Notification shall come into force with immediate effect.

[No. 1168/F. No. 404/98/75-ITCC]

V. P. MITTAL, Dy. Secy.

बैंकिंग विभाग

नई दिल्ली, 20 जनवरी, 1976

का० आ० 665.—भेत्रीय ग्रामीण बैंक अध्यादेश, 1975 (1975 का 13) की धारा ii की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार श्री डी० एच० आस्वाली को क्षेत्रीय ग्रामीण बैंक होमगांवाद के अध्यक्ष के रूप में नियुक्त करती है और 20 जनवरी, 1976 से भारम्भ होकर 30 जून, 1976 को समाप्त होने वाली अधिधि को उस अधिधि के रूप में निर्धारित करती है जिसके दौरान उक्त श्री डी० एच० आस्वाली अध्यक्ष के रूप में कार्य करेंगे।

[सं. एफ० 4-74/75 ए०सी०(6)]

(Department of Banking)

New Delhi, the 20th January, 1976

S.O. 665.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Ordinance, 1975 (13 of 1975), the Central Government appoints Shri D. H. Ambwani as the Chairman of the Kshetriya Gramin Bank, Hoshangabad and specifies the period commencing on the 20th January, 1976 and ending with 30th June, 1976, as the period for which the said Shri D. H. Ambwani shall hold office as such Chairman.

[No. F. 4-74/75-AC(VI)]

नई विल्सी, 25 जनवरी, 1976

का० आ० 666.—क्षेत्रीय ग्रामीण बैंक प्रधानेश, 1975 (1975 का 13) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री बी० ए० प्रभु को तुगमदा ग्रामीण बैंक के अध्यक्ष के रूप में नियुक्त करती है और 25 जनवरी, 1976 से शुरू होकर 30 जून, 1976 को समाप्त होने वाली प्रवधि की उस प्रवधि के रूप में निर्धारित करती है जिसके लिये उक्त श्री बी० ए० प्रभु प्रध्यक्ष के रूप में कार्य करेंगे।

[स० एफ० 4-73/75-ए० स० (6)]
बी० ए० सक्षेत्रा, संयुक्त सचिव,

New Delhi, the 25th January, 1976

S.O. 666.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Ordinance, 1975 (13 of 1975), the Central Government appoints Shri B. A. Prabhu as the Chairman of the Tunga-bhadra Gramin Bank and specifies the period commencing on the 25th January, 1976 and ending with 30th June, 1976, as the period for which the said Shri B. A. Prabhu shall hold office as such Chairman.

[No. F. 4-73/75-AC (VI)]
D. N. SAXENA, Jt. Secy.

नयी विल्सी, 24 जनवरी, 1976

का० आ० 667.—बैंककारी विनियमन प्रधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा यह घोषणा करती है कि उक्त प्रधिनियम की धारा 10थे की उप-धारा (1) और (2) के उपबन्ध नारंग बैंक ग्रामीण इण्डिया सिमिटेड, नयी विल्सी पर, 31 जनवरी, 1976 या उस बैंक के पूर्ण-कालिक अध्यक्ष की नियुक्ति में से जो तारीख पहले हो, उस तक लागू नहीं होगे।

[स० 15(5) बी० ओ० III/76]

New Delhi, the 24th January, 1976

S.O. 667.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of section 10B of the said Act, shall not apply to the Narang Bank of India Ltd., New Delhi till the 31st January 1976 or till the appointment of a whole-time Chairman of that bank, whichever is earlier.

[No. 15(5)-B.O.III/76]

का० आ० 668.—बैंककारी विनियमन प्रधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा यह घोषणा करती है कि उक्त प्रधिनियम की धारा 19 की उप-धारा (2) के उप-बन्ध इस प्रधिसूचना के जारी होने की तारीख से 2 बर्षों तक की अवधि

के लिये बैंक ग्रामीण द्वारा धूत बरेली कारपोरेशन (बैंक) सिमिटेड, बरेली के प्रोपर्टी के संबंध में उक्त बैंक पर लागू नहीं होगे।

[स० 15(6) बी० ओ० III/176]

S.O. 668.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply for a period of two years from the date of issue of this notification to the Bank of Baroda in respect of the shares held by it of the Bareilly Corporation (Bank) Ltd., Bareilly.

[No. 15(6)-B.O.III/76]

नई दिल्ली, 21 जनवरी, 1976

का० आ० 669.—बैंककारी विनियमन प्रधिनियम, 1949 (1949 का 10), की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उपर्युक्त प्रधिनियम की धारा 9 के उपबन्ध 'ब धन-लक्ष्मी बैंक लि०, तिचूर, पर, उसके द्वारा केरल राज्य में पालघाट जिले में अलातूर तालुक के वडककत्तवेंगी गांव में धूत 4 सेट प्रबल सम्पत्ति (दुकान-भवन सहित) के सम्बंध में 20 दिसम्बर, 1976 तक लागू नहीं होगे। :

[स० 15(7)-बी० ओ० III/75]

म० भा० उपरांगकर, अध्यक्ष सचिव,

New Delhi, the 21st January, 1976

S.O. 669.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declare that the provisions of section 9 of the said Act, shall not apply till the 20th December 1976 to the Dhanalakshmi Bank Ltd., Thrissur, in respect of the immovable property (including shop building) measuring 4 cents held by it at Vadakkancherry Village, Alathur Taluk in Palghat District in Kerala State.

[No. 15(7)-B.O.III/75]
M. B. USGAONKAR, Under Secy.

नयी विल्सी, 27 जनवरी, 1976

का० आ० 670.—क्षेत्रीय ग्रामीण बैंक प्रधानेश, 1975 (1975 का 13) की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, श्री पी० के० जैन को भोजपुर-रोहतास ग्रामीण बैंक के अध्यक्ष के रूप में नियुक्त करती है और 2 फरवरी, 1976 से शुरू होकर 30 जून, 1976 को समाप्त होने वाली अवधि की उस प्रवधि के रूप में निर्धारित करती है जिसके लिये उक्त श्री पी० के० जैन अध्यक्ष के रूप में कार्य करेंगे।

[स० एफ० 4-70/75-ए० स० (6)]
क० पी० ए० जैन, संयुक्त सचिव

New Delhi, the 27th January, 1976

S.O. 670.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Ordinance, 1975 (13 of 1975), the Central Government appoints Shri P. K. Jain as the Chairman of the Bhojpur-Rohatás Gramin Bank, and specifies the period commencing on the 2nd February, 1976 and ending with the 30th June, 1976, as the period for which the said Shri P. K. Jain shall hold office as such Chairman.

[No. F. 4-70/75-AC (VI)]
K. P. A. MENON, Jt. Secy.

भारतीय रिजर्व बैंक
गई विली, 27 जनवरी, 1976

का० आ० 671.—भारतीय रिजर्व बैंक अधिनियम, 1934 के अनुसरण में जनवरी, 1976 के विनाक 16 को समाप्त हुए सप्ताह के लिये नेतृत्व (इण्डू विभाग)

वेताएं	रुपये	रुपये	आस्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	24,78,63,000		सोने का सिक्का और चुलियन :-		
संचयन में नोट	6428,62,12,000		(क) भारत में रखा हुआ	182,52,51,000	
			(ख) भारत के बाहर रखा हुआ	—	
जारी किये गये कुल नोट		6453,40,75,000	विवेशी प्रतिशतियां	121,73,97,000	
			जोड़		304,26,48,000
			रुपये का सिक्का		13,73,28,000
			भारत सरकार की रुपया प्रति- भूतियां		6135,40,99,000
			देशी विनियम बिल और दूसरे वाणिज्य-पत्र		
कुल देवताएं		6453,40,75,000	कुल आस्तियां		6453,40,75,000

विनाक : 21 जनवरी, 1976

के० आ० पुरी, गवर्नर

16 जनवरी, 1976 को भारतीय रिजर्व बैंक के बैंकिंग विभाग के कार्यकलाप का विवरण

वेताएं	रुपये	आस्तियां	रुपये
चुक्ता पूँजी	5,00,00,000	नोट	24,78,63,000
भारक्षत निधि	150,00,00,000	रुपये का सिक्का	3,19,000
राष्ट्रीय हृषि ज्ञान (वीर्धकालीन प्रवर्तन) निधि	334,00,00,000	छोटा सिक्का	4,74,000
राष्ट्रीय हृषि ज्ञान (स्थिरीकरण) निधि	140,00,00,000	खरीदे और भुनाये गये विल :	
राष्ट्रीय और व्यापारिक ज्ञान (वीर्धकालीन प्रवर्तन) निधि	390,00,00,000	(क) वेशी	169,15,63,000
जमा राशियां :—		(ख) विवेशी	
(क) सरकारी		(ग) सरकारी खजाना विल	306,80,92,000
(1) केन्द्रीय सरकार	69,70,25,000	विवेशों में रखा हुआ बकाया*	726,62,17,000
(2) राज्य सरकारें	4,19,23,000	विवेश**	580,09,07,000
(ख) बैंक :—		ज्ञान और अधिकार :—	
(1) अनुसूचित वाणिज्य बैंक	567,34,39,000	(1) केन्द्रीय सरकार को	
(2) अनुसूचित राज्य सहकारी बैंक	16,46,77,000	(2) राज्य सरकारों को	188,85,93,000
(3) गैर अनुसूचित राज्य सहकारी बैंक	1,61,17,000	ज्ञान और अधिकार :—	
(4) अन्य बैंक	94,94,000	(1) अनुसूचित वाणिज्य बैंकों को	564,43,85,000
		(2) राज्य सहकारी बैंकों को@	403,18,86,000
		(3) दूसरों को	16,07,75,000
		राष्ट्रीय हृषि ज्ञान (वीर्धकालीन प्रवर्तन) निधि से ज्ञान, अधिकार और निवेश :	
		(क) ज्ञान और अधिकार :—	
		(1) राज्य सरकारों को	69,43,10,000
		(2) राज्य सहकारी बैंकों को	15,87,56,000
		(3) केन्द्रीय भूमिकाधारक बैंकों को	
		(4) हृषि पुनर्वित्त और विकास निगम को	86,70,00,000

देवताएँ	रुपये	आस्तियां	रुपये
(ग) अन्य	1436,03,39,000	(घ) केन्द्रीय भूमिकालीन बैंकों के हिंदेचरों में निवेश	10,16,86,000
देव बिल	137,77,20,000	राष्ट्रीय हृषि ऋण (स्थिरीकरण) निधि से ऋण और अधिम : राज्य सहकारी बैंकों को ऋण और अधिम	93,50,27,000
अन्य देवताएँ	866,88,35,000	राष्ट्रीय श्रौद्धोगिक ऋण (दीर्घकालीन प्रबलंत) निधि से ऋण, अधिम और निवेश	
		(क) विकास बैंक को ऋण और अधिम	349,82,63,000
		(ख) विकास बैंक द्वारा आरी किये गये बांडों/डिवेंचरों में निवेश	
		अन्य आस्तियां	514,34,73,000
रुपये	4119,95,69,000	रुपये	4119,95,69,000

*नकदी, आवधिक जमा और भल्पकालीन प्रतिशूलियां शामिल हैं।

**राष्ट्रीय हृषि ऋण (दीर्घकालीन प्रबलंत) निधि और राष्ट्रीय श्रौद्धोगिक ऋण (दीर्घकालीन प्रबलंत) निधि में से किये गये निवेश शामिल नहीं हैं।

†राष्ट्रीय हृषि ऋण (दीर्घकालीन प्रबलंत) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं, परन्तु राज्य सरकारों को दिये गये अस्थायी ग्रोवरहापड शामिल हैं।

††भारतीय रिजर्व बैंक अधिनियम की धारा 17(4)(ग) के अधीन अनुसूचित वाणिज्य बैंकों की मीथादी विज्ञों पर अधिम दिये गये 85,47,50,000 रुपये शामिल हैं।

@राष्ट्रीय हृषि ऋण (दीर्घकालीन प्रबलंत) निधि और राष्ट्रीय हृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं।

दिनांक : 21 जनवरी 1976

के० आर० पुरी, गवर्नर

[सं० फ० 10(1)/76-बी० ग्रो०-१]

च० व० शीरचन्द्रानी अव० सचिव

RESERVE BANK OF INDIA
New Delhi, the 27th January, 1976

S.O. 671.—An Account pursuant to the Reserve Bank Of India Act, 1934, for the week ended the 16th day of January 1976
Issue Department

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	24,78,63,000		Gold Coin and Bullion :—		
Notes in circulation	6428,62,12,000		(a) Held in India	182,52,51,000	
Total notes issued	6453,40,75,000		(b) Held outside India		
			Foreign Securities	121,73,97,000	
			TOTAL	304,26,48,000	
			Rupee Coin	13,73,28,000	
			Government of India		
			Rupee Securities	6135,40,99,000	
			Internal Bills of Exchange and other Commercial paper		
TOTAL LIABILITIES	6453,40,75,000				6453,40,75,000

Dated the 21st day of January, 1976

K. R. PURI, Governor

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 16th January, 1976

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up	5,00,00,000	Notes Rupee Coin	24,78,63,000 3,19,000
Reserve Fund	150,00,00,000	Small Coin Bills Purchased and Discounted :—	4,74,000
National Agricultural Credit (Long Term Operations) Fund	334,00,00,000	(a) Internal (b) External (c) Government Treasury Bills	169,15,63,000 306,80,92,000
National Agricultural Credit (Stabilisation) Fund	140,00,00,000	Balances Held Abroad* Investments** Loans and Advances to :—	726,62,17,000 580,09,07,000
National Industrial Credit (Long Term Operations) Fund	390,00,00,000	(i) Central Government (ii) State Governments† Loans and Advances to :—	188,85,93,000 564,43,85,000
Deposits :—		(i) Scheduled Commercial Banks‡ (ii) State Co-operative Banks@ (iii) Others	403,18,86,000 16,07,73,000
(a) Government:		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund :—	
(i) Central Government	69,70,25,000	(a) Loans and Advances to :—	
(ii) State Governments	4,19,23,000	(i) State Governments	69,43,10,000
(b) Banks:		(ii) State Co-operative Banks	15,87,56,000
(i) Scheduled Commercial Banks	567,34,39,000	(iii) Central Land Mortgage Banks	
(ii) Scheduled State Co-operative Banks	16,46,77,000	(iv) Agricultural Refinance & Development Corporation	
(iii) Non-Scheduled State Co-operative Banks	1,61,17,000	(b) Investment in Central Land Mortgage Bank Debentures	86,70,00,000
(iv) Other Banks	94,94,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund	10,16,66,000
(c) Others	1436,03,39,000	Loans and Advances to State Co-operative Banks	93,50,27,000
Bills Payable	137,77,20,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund :—	
Other Liabilities	866,88,35,000	(a) Loans and Advances to the Development Bank	349,82,63,000
RUPEES	4119,95,69,000	(b) Investment in bonds/debentures issued by the Development Bank	
		Other Assets	514,34,73,000
		RUPEES	4119,95,69,000

*Includes Cash, Fixed Deposits and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

†Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

‡Includes Rs. 85,47,50,000 advanced to scheduled commercial banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

K. R. PURI, Governor

[No. F.10(1)/76 B.OI]

C. W. MIRCHANDANI, Under Secy.

(स्वयं विभाग)

नई विल्सो, 16 जनवरी, 1976

का० आ० 672.—संविधान के अनुच्छेद 309 और अनुच्छेद 148 की धारा (5) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारतीय लेखा परीक्षा और लेखा विभाग में कार्य कर रहे व्यक्तियों के संबंध में नियंत्रक महालेखा परीक्षक से परामर्श करने के पश्चात् राष्ट्रपति जी ने केन्द्रीय सिविल सेवाएं (पेंशन) नियमावली, 1972 में और आगे संशोधन करके निम्नलिखित नियम बनाये हैं, प्रथात् :—

1. (1) इन नियमों को केन्द्रीय सिविल सेवाएं (पेंशन) (संशोधन) नियमावली, 1972 कहा जाये।

(2) ये सरकारी गज़पत्र में प्रकाशित होने की सारी तरह से लागू होंगे।

2. केन्द्रीय सिविल सेवाएं (पेंशन) नियमावली, 1972 के नियम 50 के उपनियम (4) में बांड (ब) के लिए निम्नलिखित बांड प्रतिस्थापित किया जाएगा, प्रथात् :—

“(ब) किसी भी ऐसे सरकारी कर्मचारी को देय मृत्यु तथा निवृति उपदाम में से इस प्रकार की कोई भी वसूली नहीं की जाएगी।

(1) जो पेंशन अंजित करने के बाद सेवा-निवृत्त हो, या

(2) जो, सेवा में रहते हुए मृत्यु के समय या सेवा-निवृत्ति के समय अविवाहित सरकारी कर्मचारी या या विधुर या या विवाही थी तथा उसके कोई बच्चा या बच्चे नहीं थे,

अधिकारी : इस उपबंड में “बच्चा” या “बच्चे” में कानूनी रूप से वहक बच्चा या बच्चे भी शामिल हैं।

या

(3) जिनके संबंध में नियम 54 के उपनियम (4) के अंतर्गत अंगस्तायी परिवार पेंशन की स्वीकृति दी गई है।

[संख्या 1(13)—संस्था० V(ब)/75]
उमा० एस० एस० मल्होत्रा, अधर सचिव

(Department of Expenditure)

New Delhi, the 16th January, 1976

S.O. 672.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) (Amendment) Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In sub-rule (4) of rule 50 of the Central Civil Services (Pension) Rules, 1972, for clause (b), the following clause shall be substituted namely :—

“(b) No such recovery shall be made out of the death-cum-retirement gratuity payable to a Government servant—

(i) who retires before earning a pension, or

(ii) who, at the time of death while in service or at the time of retirement, was an unmarried Government servant or was a widower or a widow and had no child or children.

Explanation.—In his sub-clause, “child” or “children” includes legally adopted child or children, or

(iii) In respect of whom contributory family pension is sanctioned under sub-rule (4) of rule 54.”

[No. 1(13)-EV(B)/75]

S. S. L. MALHOTRA, Under Secy.

कार्यालय समाहर्ता, सीमावृक्ष तथा लोकोपय उत्पादनशुल्क
(केन्द्रीय उत्पादनशुल्क पक्ष)

कोचीन-11, 27 अक्टूबर, 1975

केन्द्रीय उत्पादन शुल्क

का० आ० 673.—केन्द्रीय उत्पादनशुल्क नियमावली, 1944 के नियम 5 के अधीन मुक्त प्रवत शक्तियों का प्रयोग करते हुए, और इस समाहर्ता-कार्यालय की विनाक 6 नवम्बर, 1968 की अधिसूचना सं० 8/68 के अधिसूचना में, मैं इसके साथ संलग्न सारणी के स्तरम् 2 में विनियिट केन्द्रीय उत्पादन शुल्क प्रधिकारियों द्वारा अपने-अपने भेदभावित के अन्तर्गत, पूर्वोक्त नियमावली के अध्याय VII-के उपबंधों द्वारा गासित निर्धारितों के संबंध में, स्तरम् 3 में प्रत्येक के सामने उत्पादनशुल्क नियमों के अधीन, पूर्वोक्त सारणी के स्तरम् 4 में यदि कोई सीमा निर्धारित की गयी हो तो उसके अधीन रहते हुए ‘समाहर्ता’ की शक्तियों का प्रयोग करने का एतद्वारा प्रधिकार देता हूँ।

सारणी

का० अधिकारी का पद	के० उ० श० नियम	सीमापां
सं०		

1. सहायक समाहर्ता, नियम 173-के उप-केन्द्रीय उत्पादनशुल्क नियम (2) के साथ पठित नियम 52-क का उप-नियम (1)।	स्वनिकारी कार्यविधि के अधीन कार्य कर रहे एकों के बारे में सांकेतिक गोटपास (के०उ०श० क्रम सं० 65क और 65क) के बदले वैकल्पिक फार्म निर्धारित करना।
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2. उप-समाहर्ता, के०उ० श० नियम 173-के उप-नियम 4 के साथ पठित नियम 53।	नियम 173-के उप-नियम 4 के साथ
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[अधिसूचना सं० 2/75/फा०सी०सं०-4 (16) 320/75 के०उ०श० 1]

एस० वेक्टरामा धर्यर, समाहर्ता

Office Of The Collector Of Customs & Central Excise
(Central Excise wing)

Kochin, the 27th October, 1975
CENTRAL EXCISES

S.O. 673.—In exercise of the powers conferred on me under rule 5 of the Central Excise Rules, 1944, and in supersession of this Collectorate's Notification No. 8/68 dated 6th November, 1968 I hereby empower the Central Excise Officers specified

in column 2 of the Table hereto annexed, to exercise within their respective jurisdiction, in relation to the assessees governed by the provisions of Chapter VII-A of the said rules, the powers of the "Collector" under the rules specified in column 3 thereof against each, subject to the limitations, if any, set out in column 4 of the said Table.

TABLE

Sl. No.	Rank of Officer	Central Excise Rule	Limitations
1	2	3	4
1.	Assistant Collector of Central Excise	Sub-rule (1) of rule 52-A read with sub- rule (2) of rule 173- G.	To prescribe al- ternate form in lieu of the statu- tory gate pass (Central Excise Series No. 65A and 65AA) in respect of units working under Self Removal procedure.
2.	Deputy Col- lector of Cen- tral Excise	Rule 53 read with sub-rule 4 of rule 173-G.	—

[No. 2/75 File C.No. IV(16)320/75CxI]

S. VENKATARAMA IYER, Collector,

वाणिज्य भालूलय

आदेश

नई दिल्ली, 14 फरवरी, 1976

का० अ० 674.—केन्द्रीय सरकार की राय है कि नियांति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के नियांति व्यापार के विकास के लिए ऐसा करना आवश्यक और समीजीन है कि स्लूइस बाल्कों का नियांति से पूर्ण निरीक्षण किया जाए ;

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिरिष्ट प्रस्ताव बनाए हैं और उन्हें नियांति (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम II के उपनियम (2) की अपेक्षानुसार नियांति निरीक्षण परिषद् को भेज दिया है ;

अतः, अब, उक्त उपनियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को उन लोगों की जानकारी के लिए जिनके उनसे प्रभावित होने की संभावना है, प्रकाशित करती है ।

2. यह सूचना दी जाती है कि यदि कोई अधिक उक्त प्रस्तावों के बारे में कोई आदेश या सुचाव देना चाहे तो वह उन्हें, इस आदेश के राजपत्र में प्रकाशन की तारीख से तीस दिन के भीतर, नियांति निरीक्षण परिषद्, "बल्ह ट्रैड मैन्टर", 14/1 बी, एजरा स्ट्रीट (ग्राउंड बैंगल), कलकत्ता-700001 को भेज सकेगा ।

प्रस्ताव

(1) यह अधिसूचित करना कि स्लूइस बाल्कों का नियांति से पूर्ण निरीक्षण किया जाएगा ;

(2) उपांच-1 में दिए गए, स्लूइस बाल्क नियांति (निरीक्षण) नियम, 1976 के प्रारूप के अनुसार निरीक्षण के प्रकार को, नियांति के उस प्रभार के रूप में विनिरिष्ट करना जो नियांति से पूर्ण स्लूइस बाल्कों को लागू किया जाएगा ;

(3) स्लूइस बाल्कों के लिए भारतीय या अन्य राष्ट्रीय मानकों को मानक विनियोगों के रूप में मान्यता देना ;

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे किन्हीं स्लूइस बाल्कों के नियांति को तब तक प्रतिसिद्ध करना जब तक कि उसके साथ नियांति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन केन्द्रीय सरकार द्वारा स्थापित अभिकरणों में से किसी एक द्वारा जारी किया गया या इस प्राशंक का प्रमाणपत्र न हो कि ऐसे स्लूइस बाल्क निरीक्षण से संबंधित गतों को पूरा करते हैं तथा नियांति योग्य है ।

2. इस आदेश में स्लूइस बाल्क से बलवा लोहे की बाजी वाले और संकर्म के प्रयोजनों के लिए प्राशंकित बाल्क ही अभिप्रेत हैं ।

3. इस आदेश की कोई भी बात भूमि, आयु या समृद्धि-मार्ग द्वारा स्लूइस बाल्कों के नमूनों के भावी क्रेतारों को किए गए नियांति पर लागू नहीं होगी जिसका पोत-पर्वत निःशुल्क यूल्य 125 रु. से अधिक नहीं है ।

उपांच-1

नियांति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 की धारा 17 के अधीन बनाए जाने के लिए प्रस्थापित नियमों का प्रारूप ।

1. संक्षिप्त नाम और प्रारूप :—(1) इन नियमों का नाम स्लूइस बाल्कों का नियांति (निरीक्षण) नियम 1976 है ।

(2) ये इसके राजपत्र में प्रकाशन की तारीख को प्रदत्त होंगे ।

2. परिमाणाएँ :—इन नियमों में जब तक कि संदर्भ से, अन्यथा अपेक्षित न हो,—

(क) "अधिनियम" से नियांति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) अभिप्रेत है ।

(ख) "अभिकरण" से अधिनियम की धारा 7 के अधीन कोचीन, मद्रास, कलकत्ता, मुम्बई तथा दिल्ली में स्थापित नियांति निरीक्षण अभिकरणों में से कोई अभिकरण अभिप्रेत है ।

(ग) "स्लूइस बाल्क से बलवा लोहे की बाजी बाले और जल-संकर्म के प्रयोजन के लिए प्राशंकित बाल्क ही अभिप्रेत है ?

3. निरीक्षण का आधार :—नियांति के लिए प्राशंकित स्लूइस बाल्कों का निरीक्षण यह देखने के विचार से किया जाएगा कि वे अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मात्र मानक विनियोगों के अनुरूप हैं ।

4. निरीक्षण की प्रक्रिया :—(1) स्लूइस बाल्कों का नियांति करने का इच्छुक नियांतक अपने ऐसा करने के आशय की सूचना लिखित रूप में देगा तथा ऐसी सूचना के साथ, ऐसे नियांति से संबंधित नियांति संविदा में अनुबंध विनियोगों की घोषणा किसी भी अभिकरण को देगा जिससे कि वह नियम 3 के अनुसार निरीक्षण कर सके ।

(2) उप-नियम (1) के प्रधीन प्रत्येक सूचना तथा घोषणा पोत-सदान की अनुसूचित हारीब से कम से कम वह दिन पहले दी जाएगी तथा सूचना की एक प्रति उसी समय नियांति निरीक्षण परिषद् के निम्न-लिखित कार्यालयों में से किसी कार्यालय को, जो नियांति के स्थान से निकटतम हो, पृष्ठांकित की जाएगी भर्ती—

मुख्य कार्यालय

नियांति निरीक्षण परिषद्,

"बल्ह ट्रैड मैन्टर",

14/1 बी, एजरा स्ट्रीट, ग्राउंड बैंगल, कलकत्ता-700001

स्लूज वाल्व्स कार्यालय

1. निर्यात निरीक्षण परिषद्,
ग्रमन जैम्सर्ट, पांचवीं मंजिल,
113, महाराष्ट्र कर्ब रोड,
मुंबई-400004
2. निर्यात निरीक्षण परिषद्,
मनोहर बिल्डिंग, महात्मा गांधी रोड,
एनाकुलम, कोचीन-682011
3. निर्यात निरीक्षण परिषद्,
13/37, पश्चिमी विस्तार थोक्स,
पार्य समाज रोड,
नह विल्सन-110005

(3) उप-नियम (1) के अधीन सूचना तथा घोषणा प्राप्त होने पर, अधिकरण नियम 3 तथा इस संबंध में निर्यात निरीक्षण परिषद द्वारा जारी किए गए अनुदेशों के यदि कोई हों, के अनुसार स्लूज वाल्व्स का निरीक्षण करेगा।

(4) (क) निरीक्षण की समाप्ति के पश्चात, अधिकरण तुरन्त परेषण के एकेजों को इस दंग से मोहरबन्द करेगा कि यह सुनिश्चित हो जाए कि मोहरबन्द किए गए माल को बिगाड़ा नहीं जा सकता।

(ख) परेषण के अस्तीकृत किए जाने की दशा में, यदि निर्यात कर्ता आहे तो परेषण को अधिकरण द्वारा मोहर बन्द या स्टाम्पिंग नहीं भी किया जाएगा या स्टैम्पल नहीं भी किया जाएगा किन्तु ऐसे मामलों में निर्यातकर्ता अस्तीकृति के विषय अपील करने का हकदार नहीं होगा।

(5) जब अधिकरण का यह समाधान हो जाए कि स्लूज वाल्व्स का परेषण मान्य विनिर्देश की अपेक्षा के अनुरूप है, तो यह निरीक्षण की समाप्ति के 3 दिन के भीतर निर्यातकर्ता को, यह घोषणा करने काला प्रमाण-पत्र दे देगा कि परेषण निरीक्षण से संबंधित गती को पूरा करता है तथा निर्यात योग्य है।

परन्तु, जहां अधिकरण का इस प्रकार का समाधान नहीं होता है वहां अह सीन दिनों की उक्त अवधि के भीतर ऐसा प्रमाणपत्र देने से इंकार कर देगा तथा इस प्रकार इंकार किए जाने की सूचना, उसके फारपीं सहित, निर्यातकर्ता को देगा।

5. निरीक्षण का स्थान:—निरीक्षण केवल विनिर्देश के परिसर पर ही किया जाएगा।

6. निरीक्षण फीस:—प्रत्येक परेषण के लिए अनुनाम 100 रुपये के अधीन रहते हुए, पील-पर्पल लिंगुलक मूल्य के 1 प्रतिशत की बर ते फीस, निर्यातकर्ता द्वारा अधिकरण को इन नियमों के प्रधीन निरीक्षण फीस के रूप में दी जाएगी।

7. अपील:—(1) नियम 4 के उप-नियम (5) के प्रधीन प्रमाणपत्र के देने से अधिकरण द्वारा इंकार किए जाने से व्यक्ति कोई अवित्त, इस प्रकार इंकार किए जाने की सूचना के जसे प्राप्त होने से 10 दिन के भीतर, इस प्रयोजन के लिए केंद्रीय, सरकार द्वारा नियुक्त कम से कम 3 व्यक्तियों के विशेषज्ञ पैनल की अपील कर सकेगा।

(2) विशेषज्ञ पैनल में, पैनल की कुल सदस्य संख्या के कम से कम दो तिहाई सदस्य गैर सरकारी होंगे।

(3) पैनल की गणपति तीन की होगी।

(4) अपील का निपटारा उसके प्राप्त होने के 15 दिन के भीतर कर दिया जाएगा।

[सं. 6(10)/75-नि.नि. तथा नि.उ.०]
के ० बी० बालसुखायम, उप निवेशक

MINISTRY OF COMMERCE

ORDER

New Delhi, the 14th February, 1976

S.O. 674.—Whereas the Central Government is of opinion that, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary and expedient so to do for the development of the export trade of India that sluice valves shall be subject to inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within thirty days of the date of publication of this order in the Official Gazette to the Export Inspection Council, 'World Trade Centre', 14/1-B, Ezra Street, 7th Floor, Calcutta-700001.

PROPOSALS

- (1) To notify that sluice valves shall be subject to inspection prior to export;
- (2) To specify the type of inspection in accordance with the draft Export of Sluice valves (Inspection) Rules, 1976 set out in Annexure I as the type of inspection which would be applied to such sluice valves prior to export;
- (3) To recognise the Indian or any other national standards as the standard specifications for sluice valves;
- (4) To prohibit the export, in the course of international trade, of any such sluice valves, unless the same is accompanied by a certificate issued by one of the agencies established by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), to the effect that such sluice valves satisfy the conditions relating to inspection and are export-worthy.

2. In this Order sluice valves shall mean only valves having cast iron bodies and intended for water works purposes.

3. Nothing in this Order shall apply to the export by land, air or sea of samples of sluice valves, the f.o.b. value of which does not exceed Rs. 125 to prospective buyers.

ANNEXURE I

DRAFT RULES PROPOSED TO BE MADE UNDER SECTION 17 OF THE EXPORT (QUALITY CONTROL AND INSPECTION) ACT, 1963

1. Short title and commencement—(1) These rules may be called the Export of Sluice Valves (Inspection) Rules, 1976.

(2) They shall come into force on the date of their publication in the official gazette.

2. Definitions—In these rules, unless the context otherwise requires—

- (a) 'Act' means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "Agency" means any of the Export Inspection Agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under section 7 of the Act;
- (c) Sluice valves shall mean only valves having cast iron bodies and intended for water works purposes.

3. Basis of inspection—Inspection of sluice valves intended for export shall be carried out with a view to seeing that the same conform to the standard specifications recognised by the Central Government under section 6 of the Act.

4. Procedure of inspection.—(1) The exporter intending to export sluice valves shall give intimation in writing of his intention so to do and submit along with such information a declaration of the specifications stipulated in the export contract relating to such export to any of the Agencies to enable it to carry out the inspection in accordance with rule 3.

(2) Every intimation and declaration under sub-rule (1) shall be given not less than ten days before the scheduled date of shipment and a copy of the intimation shall simultaneously be endorsed to any of the following offices of the Export Inspection Council, which is nearest to the place of inspection, namely :—

Head Office.—Export Inspection Council, 'World Trade Centre', 14/1B, Ezra Street, 7th floor, Calcutta-700001.

Regional Offices.—1. Export Inspection Council, Aman Chambers, 4th Floor, 113, Maharshi Karve Road, Bombay-400004.

2. Export Inspection Council, Manohar Building, Mahatma Gandhi Road, Ernakulam, Cochin-682011.

3. Export Inspection Council, 13/37, Western Extension Area, Arya Samaj Road, New Delhi-110005.

(3) On receipt of the intimation and declaration under sub-rule (1), the agency shall carry out the inspection of sluice valves in accordance with rule 3 and the instructions, if any, issued by the Export Inspection Council in this regard.

(4)(a) After completion of the inspection, the Agency shall immediately seal the packages in the consignment in a manner as to ensure that the sealed goods cannot be tampered with.

(b) In case of rejection of a consignment, if the exporter so desires, the consignment may not be sealed, stamped or stencilled by the Agency and in such cases, however, the exporter shall not be entitled to prefer an appeal against the rejection.

(5) When the Agency is satisfied that the consignment of sluice valves complies with the requirement of the recognised specification, it shall issue within three days of completion of inspection, a certificate to the exporter declaring that the consignment satisfies the conditions relating to inspection and is exportworthy.

Provided that where the Agency is not so satisfied, it shall within the said period of three days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

5. Place of inspection.—Inspection shall be carried out at the premises of the manufacturer only.

6. Inspection fee.—Subject to a minimum of rupees hundred for each consignment, a fee at the rate of 1 per cent of f.o.b. value, shall be paid by the exporter to the Agency as inspection fee under these rules.

7. Appeal.—(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (5) of rule 4, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than 3 but not more than seven persons appointed for the purpose by the Central Government.

(2) The panel shall consist of at least two-thirds of non-officials of the total membership of the panel of experts.

(3) The quorum for the panel shall be three.

(4) The appeal shall be disposed of within fifteen days of its receipt.

लांगांगा 675.—केंद्रीय सरकार जूलूस का नियांत (निरीक्षण) नियम, 1967 के अनुसरण में तथा भारत सरकार के विदेश व्यापार मंत्रालय की अधिसूचना सं. कांगा 5013, तारीख 4 अक्टूबर, 1971 को अतिथित करते हुए नीचे दी गई सारणी के स्तम्भ (2) में वर्णित व्यक्तियों को, उसके स्तम्भ (1) में तस्वीरबद्धी प्रविष्टि में निरिष्ट नियांत निरीक्षण अधिकरण के विवर उक्त नियमों के अधीन अपीलों की सुनवाई के प्रयोगन के लिये विशेषज्ञों के पैनल के रूप में नियक्त करती है;

परन्तु उक्त सारणी के स्तम्भ (2) में उपलिखित स्थानों में से किसी एक में विल्ली स्थित नियांत निरीक्षण अधिकरण द्वारा किये गए विनियम के विषय अपील उस स्थान के लिये गठित विशेषज्ञों के पैनल द्वारा सुनी जाएगी;

परन्तु यहां उक्त पैनल का कोई सदस्य किसी अपील की विषयवस्तु में वैयक्तिक रूप से हितवद्ध है तो वह उस अपील से सम्बन्धित कार्यवाहियों में भाग नहीं लेगा।

सारणी

प्राधिकरण जिसके नियम के विषय विशेषज्ञों का पैनल, जिसको अपील की अपील की जा सकेगी जा सकेगी, गठित करने वाले व्यक्ति

(1)	(2)
नियांत निरीक्षण अधिकरण कलकत्ता (आसाम, असामाजिक प्रदेश, अंडमान तथा निकोबार द्वीप समूह, बिहार, मणिपुर, मेघालय, नागालैंड उड़ीसा, झिपुरा, तथा पश्चिमी बंगाल राज्यों/संघ राज्य क्षेत्रों को समाविष्ट करते हुए)।	1. प्रधानाचार्य, (पदेन) लेदर टैक्सालोजी का कालेज, कैनाल साऊथ रोड, पगलाड़गां, कलकत्ता-700015 अध्यक्ष 2. कारखाना प्रबन्धक (पदेन) मै. ० बाटा इंडिया लिमिटेड, डाकघर बाटानगर, जिला-२४-परगामा, प० बंगाल सदस्य
	3. नियांत प्रबन्धक, (पदेन) मै.० सेन एंड पर्सिल (प्रा०) लि०, १, मिडलटन स्ट्रीट, कलकत्ता-700016 सदस्य
	4. डायरेक्टर (पदेन) मै० ट्राई एस० क० (प्रा०) लि०, १९/४८, मंशीगंगा रोड, कलकत्ता-700025 सदस्य
	5. श्री श्री० राय, विकास प्रबन्धक, इस्ट इंडिया रेबर वर्स० (प्रा०) लि०, १६१, चित्तरंजन एक्ट्यू, कलकत्ता-700007 सदस्य
	6. संयुक्त विशेषज्ञ, (पदेन) नियांत निरीक्षण परिषद् १४/१-श्री एजरा स्ट्रीट (आठवीं मंजिल) कलकत्ता-700001 सदस्य

(1)	(2)	(1)	(2)
सदस्येतर संयोजक :			
उप-निवेशक,		नवंगला बिलिंडा, हीग की मंडी,	
निर्यात निरीक्षण प्रभिकरण,		आगरा-3	सदस्य
कलकत्ता,		4. श्री एम० एम० बजाज, प्रबंध-	
14/1-बी०, एंड्रेस स्टीट, नवीं मंजिल,		निवेशक, मै० औरियन्टल फूटबीयर	
कलकत्ता-700001		एक्सपोर्ट्स,	
(i) दिल्ली		5/57, मारिया कट्टरा,	
2. निर्यात निरीक्षण प्रभिकरण-विल्ली	1. श्री आर० धानजन,	आगरा	सदस्य
(हरियाणा, जम्मू-काश्मीर, मध्य प्रदेश, पंजाब, राजस्थान, उत्तर प्रदेश, बिल्ली, चंडीगढ़ तथा हिमाचल प्रदेश राज्यों/मध्य राज्यों को समाविष्ट करते हुए)	निवेशक, सा०एंड० चि०	5. श्री एम० एन० छौ, सिविल,	
	महाराष्ट्रालय,	आगरा फूटबीयर एसोसिएशन,	
	श्रीधोगिक विकास मंत्रालय,	द्वारा मै० ज० क० लैदर,	
	नई दिल्ली	बालूगंज, आगरा	सदस्य
	2. कारखाना प्रबन्धक (पदन)	6. संयुक्त निवेशक, (पदन)	
	य० बाटा शू. क० (प्रा०) लि०,	निर्यात निरीक्षण परिषद्,	
	फरीबाबाद	क्षेत्रीय कार्यालय,	
	3. श्री एच० एम० सन्धू, निवेशक,	13/37, प० वि० क्षेत्र, आर्य	
	मै० बिनार एक्सपोर्ट (प्रा०) लि०,	समाज रोड,	
	18, रिंग रोड, नाजपत नगर-4,	नई दिल्ली-5	सदस्य
	नई दिल्ली-24	सदस्य	
	4. श्री जीवन सिंह, सदस्य	सदस्येतर संयोजक :	
	मै० एरो ट्रेइंस,	उप-निवेशक,	
	डी-11 एन०डी०एस०ई०-II,	निर्यात निरीक्षण प्रभिकरण, विल्ली	
	नई दिल्ली-49	उप-कार्यालय, आगरा	
	5. श्री पी०झ० गुप्त,	4. नेहरू नगर, आगरा-282002	
	मै० लिबर्टी फूटबीयर क०,	(iii) कानपुर	
	रेलवे रोड,	1. अध्यक्ष (पदन)	
	करनाल	तैयार बम्बे तथा निर्मित बम्बे की निर्यात संबंधित परिषद्,	
	6. संयुक्त निवेशक, (पदन)	15/46, सिविल लाईन्स,	
	निर्यात निरीक्षण परिषद्,	कानपुर	अध्यक्ष
	क्षेत्रीय कार्यालय,	2. बवालिटी नियंत्रण प्रबंधक (पदन)	
	13/37, परिषमी विस्तार क्षेत्र,	इण्डियन टैनरी एंड फूटबीयर	
	आर्य समाज रोड,	कार्पोरेशन, सिविल लाईन्स,	
	नई दिल्ली-5	कानपुर	
	सदस्येतर संयोजक :	3. श्री टी० आर० सहगल,	
	उप-निवेशक,	एलेनेट इन्डस्ट्रीज,	
	निर्यात निरीक्षण प्रभिकरण, विल्ली	111/400, अशोक नगर,	
	13/37, प०वि० क्षेत्र,	कानपुर	सदस्य
	आर्य समाज रोड,	4. श्री एम० एम० इस्माईल,	
	नई दिल्ली-5	मै० राजा रमन इन्डस्ट्रीज,	
(ii) आगरा	1. निवेशक, (पदन)	14/4, सिविल लाईन्स,	
	लघु उद्योग सेवा संस्थान,	कानपुर	सदस्य
	महात्मा गांधी रोड,	5. श्री क० एल० पुरी,	
	आगरा-1	मै० इंडियन लैदर इन्डस्ट्रीज,	
	2. श्री क०एन० बासन,	90/240, इकितकाराबाजार,	
	मै० बासन एंड क०,	कानपुर	सदस्य
	प००प्र०० बाबस स० 42,	6. संयुक्त निवेशक,	
	आगरा-1	निर्यात निरीक्षण परिषद्,	
	3. श्री मंगत राम,	क्षेत्रीय कार्यालय,	
	प्रबन्ध-निवेशक,	13/37, परिषमी विस्तार क्षेत्र,	
	मै० योके फूटबीयर तथा लैदर	आर्य समाज रोड,	
	इडस्ट्रीज,	नई दिल्ली-5	सदस्य
		सदस्येतर संयोजक ।	
		उप-निवेशक	

1	2	1	2
		नियंति निरीक्षण अभिकरण-विस्तीर्ण	6. संयुक्त निवेशक (पदेन) नियंति निरीक्षण परिषद्, क्षेत्रीय कार्यालय, मसोहर बिल्डिंग, महाराष्ट्रा गांधी रोड, एनाकुलम, कोचीन-11 सदस्य
		उप-कार्यालय: कानपुर, अपर इंडिया बैम्बर, कामेस बिल्डिंग, 14/69, सिविल लाईन्स, कानपुर-1	
3. नियंति निरीक्षण अभिकरण-मुंबई 1	मुंबई क्षेत्र	1. निवेशक (पदेन) लघु उद्योग सेवा संस्थान, साकी नाका, प्रांतीय कुरला रोड, मुंबई अध्यक्ष	सदस्येतर संयोजक उप-निवेशक, नियंति, निरीक्षण अभिकरण-मद्रास, 123, माऊंट रोड, मद्रास-600006
		2. श्री वी० पी० पंडित, बम्बई फुटवीयर प्रा० लि० वेवनगर मुंबई-88 अध्यक्ष	
		3. श्री वी० एस० वेदा, प्रबंध निवेशक, स्वास्तिक रखर उत्पाद, (प्रा०) लि० बाबली, पुरी।	2. पैनल की गणपूर्ति तीन की होगी।
		4. श्री एच० भार० मलिक, मै० मलिक ट्रैडर्स, 111-ए, एम० जी० रोड, पो० बाबली स० 10035 मुंबई-1 सदस्य	[सं० ८(७)/७४-नि० तथा श०सं०] के० वी० बालमुद्रापण्यन, उप-निवेशक
		5. श्री वी० पी० गुप्त, मै० फैरोना साह क० लि०, 22, डी० एन० रोड, मुंबई-1 सदस्य	
		6. संयुक्त निवेशक (पदेन) नियंति निरीक्षण परिषद्, क्षेत्रीय कार्यालय, 113, महार्षि कर्वे रोड, मुंबई-4	
4. नियंति निरीक्षण अभिकरण—मद्रास मद्रास/कोचीन क्षेत्र			
तथा कोचीन। (आधि प्रवेश, तमिलनाडु पांडियेरी तथा कोचीन राज्यों/संघ राज्य क्षेत्रों को समाविष्ट करते हुए)		1. श्री के० सी० साह, उप-निवेशक केन्द्रीय फुटवीयर प्रशिक्षण केन्द्र, भारत सरकार, मद्रास-600032	
		2. श्री जे० डॉ० एडमंडस, टी० इ० एल० सी० रुखत सेन्टर, असलपुरम्, तिलपुर-63805 सदस्य	
		3. श्री ए० एच० मोहम्मद याह, अनरल एक्सपोर्ट्स, (इंडिया) 23, शीघ्र रोड, मद्रास-600001 सदस्य	
		4. श्री के० ग्रामीनुरुहमान, मै० मूनाइटिंड इंडिया शूकार्पेटिशन, 18 ए, बेपरी हाई रोड, मद्रास-600063 सदस्य	
		5. श्री ए० विश्वम्भरम् शोम सैवर क० (प्रा०) लि० कोप्पेट, मद्रास-600044 सदस्य	
			S.O. 675.—In pursuance of rule 7 of the Export of Footwear (Inspection) Rules, 1967, and in supersession of the notification of the Government of India in the Ministry of Foreign Trade No. S.O. 5013, dated the 4th October, 1971, the Central Government hereby appoints the persons mentioned in column (2) of the Table given below, as the panel of experts for the purpose of hearing appeals under the said rule against the decision of the Export Inspection Agency mentioned in the corresponding entry in column (1) thereof :
			Provided that an appeal against a decision made by the Export Inspection Agency at Delhi at one of the places indicated in column (2) of the said Table shall be heard by the panel of experts constituted for that place :
			Provided that where a member of any of the said panel is personally interested in the subject matter of any appeal, he shall not take part in the proceeding relating to the appeal.
			TABLE
		Authority against whose decision appeals	Persons constituting the Panel of the experts to which appeal lies-
		(1)	(2)
		1. Export Inspection Agency, Calcutta (covering States/Union territories of Assam, Arunachal Pradesh, Andaman and Nicobar Islands, Bihar, Manipur, Meghalaya, Nagaland, Orissa, Tripura and West Bengal).	1. The Principal (Ex-officio) College of Leather Technology, Canal South Road, Pagladanga, Calcutta-300-015—Chairman 2. The Factory Manager, (Ex-officio) M/s. Bata India Limited, P. O. Batanagar, Dist. 24-Parganas, W.B.—Member 3. The Export Manager, (Ex-officio) M/s. Sen & Pandit (P) Ltd., 1, Middleton Street, Calcutta-700-016—Member. 4. The Director, (Ex-officio) M/s. Trot Shoe Co. (P) Ltd., 19/4A, Munshiganj Road, Calcutta-700-025—Member 5. Shri B. Roy, Development Manager East India Rubber Works (P) Ltd., 161, Chittaranjan Avenue, Calcutta-700-007—Member 6. The Joint Director, (Ex-Officio) Export Inspection Council, 14/1B, Ezra Street (7th Floor), Calcutta-700-001—Member.

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NON-MEMBER CONVENER	
The Deputy Director, Export Inspection Agency- Calcutta, 14/1B, Ezra Street, 8th Floor, Calcutta-700001.	
2. Export Inspection Agency- Delhi (Covering States/ Union Territories of Harry- ana, Jammu and Kashmir, Madhya Pradesh, Punjab, Rajasthan, Uttar Pradesh, Delhi, Chandigarh and Himachal Pradesh.	(i) DELHI 1. Shri R. Thanjan, Director, D.Y.T.& D., Ministry of Industrial Deve- lopment, New Delhi—Chair- man. 2. The Factory Manager, (Ex- officio) M/s. Bata Shoe Co. (P) Ltd., Faridabad— Member. 3. Shri H.S. Sandhu, Director, M/s. Chinar Exports (P) Ltd., 18, Ring Road, Lajpat Nagar- IV, New Delhi-24—Member 4. Shri Jewan Singh, M/s. Aero Traders, D-11, NDSE-II, New Delhi-4 Member. 5. Shri P.D. Gupta, M/s. Liberty Footwear Co., Railway Road, Karnal—Member. 6. The Joint Director, (Ex- officio) Export Inspection Council, Regional office, 13/37, W.E.A. Arya Samaj Road, New Delhi-5— Member. Non-Member Convener The Deputy Director, Export Inspection Agency- Delhi, 13/37, W.E.A. Arya Samaj Road, New Delhi-5.
	(ii) AGRA 1. The Director, (Ex-officio) Small Industries Service Institute, Mahatma Gandhi Road, Agra—Chairman. 2. Shri K.N. Wason, M/s. Wason & Co., P.O. Box No. 42, Agra-1—Member. 3. Shri Mangat Ram, Managing Director, M/s. Veekay Footwear and Leather Industries, Charam Kal Building, Hing- ki-Mandi, Agra-3—Member. 4. Shri M.N. Bajaj, Managing Director, M/s. Oriental Footwear Ex- porters, 5/57, Madia Katra, Agra—Member. 5. Shri M.N. Jha, Secretary, Agra Footwear Association, C/O. M/s. Jay Kay Leather, Balaganj, Agra—Member. 6. The Joint Director, (Ex- officio) Export Inspection Council, Regional office, 13/37, W.E.A. Arya Samaj Road, New Delhi-5—Member

NON-MEMBER CONVENER

The Deputy Director, Export Inspection Agency- Delhi, Sub-office; Agra. 4, Nehru Nagar, Agra-282002	(iii) KANPUR 1. The Chairman, (Ex-officio) Export Promotion Council of Finished Leather and Leather Manufacturers, 15/46, Civil Line, Kanpur—Chairman. 2. The Quality Control Manager (Ex-officio), Tannery and Footwear Cor- poration of India, Civil Lines, Kanpur—Kanpur. 3. Shri T.R. Sehgal, Elegant Industries, 111/400, Ashok Nagar, Kanpur— Member 4. Shri S.M. Ismail, M/s. Raja Raman Industries, 14/4, Civil Lines, Kanpur— Member 5. K.L. Puri, M/s. India Leather Industries, 90/240, I ftikharabad Kanpur—Member. 6. The Joint Director, Export Inspection Council, Regional Office, 13/37, WEA, Arya Samaj Road, New Delhi—Member.
NON-MEMBER CONVENER	The Deputy Director, Export Inspection Agency- Delhi, Sub-office, Kanpur, Upper India Chamber, Commerce Building, 14/69, Civil Line, Kanpur.

BOMBAY REGION.

1. The Director (Ex-officio) Small Industries Service Institute Saki Naka, Andheri Kurla Road, Bombay—Chair- man.	2. Shri V.P. Pandit, Bombay Footwear Pvt. Ltd., Deonar Bombay-88—Chair- man.
3. Export Inspection Agency- Bombay (covering States/ Union territories of Gujarat Maharashtra, Dadra, Nagar, Haveli, Goa, Daman and Diu)	3. Shri V.S. Vaidya, Managing Director, Swastik Rubber Products (Pvt.) Ltd., Khadki, Poona.
	4. Shri H.R. Malik, M/s. Malik Traders, 111-A, M.G. Road, P. Box No. 10035 Bombay-1—Mem- ber.
	5. Shri V.P. Gupta, M/s. Carona Sahu Co. Ltd., 221, D.N. Road, Bombay-1 Member.
	6. The Joint Director (Ex-officio) Export Inspection Council, 113, M. Karve Road, Bom- bay-4.

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4. Export Inspection Agency—
Madras and Cochin (covering
States, Union territories
of Andhra Pradesh, Tamil
Nadu, Pondicherry and
Cochin).

1. Shri K.C. Saha, Deputy Director, Central Footwear Trading Centre, Government of India, Madras-600032—Chairman.
2. Shri J.D. Edmunds, T.E.L.C. Rural Centre, Arulupuram, Terupur-63805—Member
3. Shri A.H. Mohammed Yaha, General Exports (India), 23, Beach Road, Madras-600001—Member.
4. Shri K. Ameemur, Rahman, M/s. United India Shoe Corporation, 18-A, Vepery High Road, Madras-600063—Member.
5. Shri A. Chidambaram, Chrome Leather Co. (P) Ltd. Chromepet, Madras-600044—Member.
6. The Joint Director (Ex-officio)
Export Inspection Council, Regional Office, Manohar Building, M.G. Road, Ernakulam, Cochin-11—Member.

NON-MEMBER CONVENER
The Deputy Director,
Export Inspection Agency,
Madras,
123, Mount Road,
Madras-600006.

2. The quorum of the panel shall be three.

[No. 6(7)/74-EIEP]

K.V. BALASUBRAMANIAM, Deputy Director

(मुख्य नियंत्रक, आयात-नियंत्रित का कार्यालय)

आवेदन

नई दिल्ली, 27 जनवरी, 1976

का० आ० 676.—परियोजना एवं उपस्कर निगम भारत लि०, नई दिल्ली को 2 नग कमाट्टू ही०-7582 डोजर येवल और पुजों का आयान से आयात करने के लिए 8,48,516 रुपये मूल्य के लिए एक पूरक लाइसेंस संख्या: जी/टी/3041590, दिनांक 5-9-74, मुख्य लाइसेंस संख्या: जी/टी/2414253, दिनांक 15-6-74 के महे प्रदान किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि उक्त लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति उनसे खो गई है। लाइसेंसधारी ने आगे यह भी बताया है कि लाइसेंस भारत के किसी भी पतन पर पंजीकृत नहीं करवाया गया है।

अपने तरफ के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि पूरक लाइसेंस संख्या: जी/टी/3041590, दिनांक 5-9-74 की सीमाशुल्क प्रयोजन प्रति खो गई है और निवेश देता है कि उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि उनको जारी की जानी चाहिए। मूल लाइसेंस की सीमाशुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

लाइसेंस संख्या: जी/टी/3041590, दिनांक 5-9-74 की सीमाशुल्क प्रयोजन प्रति अलग से जारी की जा रही है।

[संख्या एसटीसी/केन-115/74-75/आरएम सेल/2013]

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 27th January, 1976

S.O. 676.—The Projects & Equipments Corporation of India Ltd, New Delhi were granted a Subsidiary licence No. G/T/3041590 dated 5-9-74 against main licence No. G/T/2414253 dated 15-6-74 for the import of 2 Nos. Komatsu D-758 2 Dozer Shovel and Spares from Japan to the value of Rs. 8,48,516. They have requested for the issue of duplicate Custom copy of the above licence on the ground that the original Custom Copy of the above licence has been lost by them. It has been further reported by the licensee that the licence has not been registered with any port in India.

In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that Custom copy of Subsidiary licence No. G/T/3041590 dated 5-9-74 has been lost and direct that Custom copy of the said licence should be issued to them. The Custom copy of the licence is hereby cancelled.

Custom copy of the licence No. G/T/3041590 dated 5-9-74 is being issued separately.

[File No. STC/Can-115/74-75/RM Cell/2013]

आवेदन

का० आ० 677.—राज्य व्यापार निगम लिमिटेड भारत, नई दिल्ली को सामान्य मुद्रा भेज से लियोफोन का आयात करने के लिए 3,44,045—रुपये के लिए एक लाइसेंस संख्या: जी/टी/2413386, दिनांक 6-3-74 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि उनसे उपर्युक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति खो गई है। लाइसेंसधारी ने यह भी सूचना दी है कि लाइसेंस भारत के किसी भी पतन पर पंजीकृत नहीं हुआ है।

आवेदक ने अपने तरफ के समर्थन में एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस संख्या: जी/टी/2413386, दिनांक 6-3-74 की मुद्रा विनिमय नियंत्रण प्रति खो गई है और आवेदन देता है कि उक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति उनको जारी की जाए। लाइसेंस की मुद्रा विनिमय प्रति एतद्वारा रद्द की जाती है।

लाइसेंस संख्या: जी/टी/2413386, दिनांक 6-3-74 की मुद्रा विनिमय नियंत्रण प्रति अलग से जारी की जाएगी।

[संख्या एसटीसी/विविध-1219-1224/73-74/आरएम सेल/2014]

जी० एस० मेवाल, उप-मुख्य नियंत्रक

ORDER

S.O. 677.—The State Trading Corporation of India Ltd, New Delhi were granted licence No. G/T/2413386 dated 6-3-74 for the Import of Lithopone from G.C.A. to the value of Rs. 3,44,045. They have requested for the issue of duplicate Exchange Control Copy of the above licence on the ground that the original Exchange Control copy of the above licence has been lost by them. It has been further reported by the licensee that the licence has not been registered with any port in India.

In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that Exchange Control Copy of licence No. G/T/2413386 dated 6-3-74

has been lost and direct that E.C. Copy of the said licence should be issued to them. The E.C. Copy of the licence is hereby cancelled.

Exchange Control copy of the licence No. G/T/2413386 dated 6-3-74 is being issued separately.

[File No. STC/Misc-1219-1224/73-74/RM Cell/2014]

G. S. GREWAL, Dy. Chief Controller

संयुक्त मुद्रा विवरण, आयात-नियन्त्रण का कार्यालय (सेक्टरीय लाइसेंस थेज़.)
आवेदन

नई दिल्ली, 21 दिसम्बर, 1975

का० प्रा० 678. - सर्वश्री पाल कार्यालय कार्पोरेशन, एस-225, इन्डस्ट्रियल एरिया, जालन्दर को अप्रैल-मार्च, 75 प्रबंधि के लिए सामान्य मुद्रा थेज़ से एश बीच हिकरी का आयात करने के लिए 39722 रुपये के लिए आयात लाइसेंस संख्या: पीएस/2731812/सी०/एम्सएस/53/डी-39-40, ई-1-14, और ई-1-8 विनाक 13-12-75 प्रदान किया गया था।

पार्टी ने बताया है कि उक्त लाइसेंस की मुद्रा विनिमय नियन्त्रण प्रति अम्बई पतन पर पंजीकृत करने के बाद और 6063.17 रुपये तक के लिए अंतर: उपयोग करने के बाद खो गई/प्रस्थानस्थ हो गई है और उसी को रद्द करने के लिए आवेदन किया है। पार्टी ने उक्त लाइसेंस की मुद्रा विनिमय नियन्त्रण प्रति की अनुलिपि प्रति जारी करने के लिए भी अनुरोध किया है। पार्टी ने अपने उक्त बयान के समर्थन में आयात व्यापार नियन्त्रण नियम एवं किया विधि हैडब्ल्यूक, 75-76 की कंडिका 320 के अन्तर्गत यथा अपेक्षित एक शापथ पत्र दाखिल किया है।

आयात नियन्त्रण भारत (1955) विनाक 7-12-1955 की धारा 9(सीसी) के अन्तर्गत मेरे लिए प्रदत्त अधिकारों का प्रयोग कर, मैं उक्त लाइसेंस की मुद्रा विनिमय नियन्त्रण प्रति को रद्द करने का आदेश देता हूँ।

आवेदक को भव आयात व्यापार नियन्त्रण नियम एवं किया विधि हैडब्ल्यूक, 75-76 की कंडिका 320(4) में दी गई व्यवस्था के अनुसार सामान्य मुद्रा थेज़ से 33658 रुपये के लिए जारी किए, गए उक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियन्त्रण प्रति जारी की जा रही है।

[संख्या: एसजी-2/जैएस-74/एससी-4/सीएस/2551]

एम० जी० गोप्तव, उप-मुख्य नियन्त्रक,

हाते संयुक्त मुख्य नियन्त्रक

Office of the Joint Chief Controller of Imports & Exports
(Central Licensing Area)

CANCELLATION ORDER

New Delhi, the 21st December, 1975

S.O. 678.—M/s. Paul Commercial Corporation, S. 225 Industrial Area, Jullundur were granted import licence No. P/L/2731812/C/XX/53/D/39-40, E.I.I, 4 and E.I. 8 dated 13-12-74 for Rs. 39722/- on G.C.A. for the import of Ash Beech Hickory etc. during AM. 75 Period.

The Party have intimated that the Exchange Control copy of the above said licence has been lost/misplaced after having been registered at Bombay port and partly utilised upto Rs. 6063.17 and have requested for cancellation thereof. Party have also requested to issue duplicate Exchange Control purposes copy of the same. The party have filed an affidavit in support of above statement as required under

para 320 of I.T.C. Hand Book of Rules & Procedure 1975-76.

In exercise of the power conferred on me under section 9(CC) of Import Control Order (1955) dated 7th December, 1955, I order the Cancellation of the aforesaid Exchange Control purposes copy of the licence.

4. The applicant is now being issued duplicate Exchange Control purposes copy of the aforesaid licence for Rs. 33658/- on G.C.A in accordance with the provision of Para 320(4) of the Hand Book of Rules & Procedures 1975-76.

[File No. SG 21/J.S. 74/SC. IV/CLA/2551]

M. G. GOMBER, Dy. Chief Controller,
for Joint Chief Controller

आवेदन

नई दिल्ली, 4 नवम्बर, 1975

का० प्रा० 679.—सर्वश्री जनरल हसेक्ट्रानिक्स हरियाणा प्रा० लि०, 17/6, माहल स्टोन, मथुरा रोड, करीदाबाद को अप्रैल-मार्च, 1973 प्रबंधि के लिए सामान्य मुद्रा थेज़ से अन्तिम उपयोग टेप रिकॉर्डर्स के लिए कच्चे माल एवं संबंधितों के आयात के लिए 30000 रुपये का एक आयात लाइसेंस संख्या: पीएस/1801592, विनाक 31-7-73 स्वीकृत किया गया था।

पार्टी ने यह सूचित किया है कि उपर्युक्त लाइसेंस की सीमाशुल्क प्रस्त्रियोजन प्रति का 24559 रुपये के लिए अंतिम रूप से उपयोग करने के बाव और अम्बई सीमाशुल्क कार्यालय में पंजीकृत करवाने के बाव खो गई/प्रस्थानस्थ हो गई है और उसी को रद्द करने का अनुरोध किया है। पार्टी ने शेष अप्रयुक्त 5441 रुपये के लिए अनुलिपि सीमाशुल्क प्रयोजन प्रति जारी करने का भी अनुरोध किया है। पार्टी ने अपने उक्त बयान के समर्थन में आयात व्यापार नियन्त्रण नियम तथा क्रियाविधि हैडब्ल्यूक, 1975-76 की कंडिका 320 के अन्तर्गत यथा अपेक्षित एक शापथ पत्र दाखिल किया है।

आयात नियन्त्रण भारत, 1955 विनाक 7-12-1955 की धारा 9(सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर, मैं उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति को रद्द करने का आवेदन देता हूँ।

आवेदक को भव आयात व्यापार नियन्त्रण नियम तथा किया विधि हैडब्ल्यूक, 1975-76 की कंडिका 320(4) की व्यवस्थाओं के अनुसार प्रयुक्त मूल्य अर्थात् 24559 रुपये और अप्रयुक्त मूल्य अर्थात् 5441 रुपये का संकेत करते हुए सामान्य मुद्रा थेज़ से 30000 रुपये के लिए अप्रयुक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति जारी की जा रही है।

[संख्या: एनपी/जी-18/(एन)/एए-73/एप्प-एच/सी०/एलए-2796]

के० एन० कपूर, उप मुख्य नियन्त्रक

कृते: संयुक्त मुख्य नियन्त्रक

ORDER

New Delhi, the 4th November, 1975

S.O. 679.—M/s. General Electronics of Haryana Pvt. Ltd., 17/6, Mile Stone, Mathura Road, Faridabad were granted licence No. P/S/1801592 dated 31-7-73 for Rs. 30,000/- on G.C.A for import of Raw Materials and components for the end use Tape Recorders for AM-73 period.

The party have intimated that the customs purposes copy of the above said licence has been lost/misplaced after having been utilised by the party for a value of Rs. 24,559 and after having been registered with Bombay customs and have requested for cancellation thereof. Party have also requested to issue duplicate customs purposes copy of the same

for the unutilized value of Rs. 5441/- The party have filed an affidavit in support of above statement as required vide para 320 of ITC Hand Book of Rules and Procedure, 1975-76.

3. In exercise of the power conferred on me under section 9(CC) of Import Control Order 1955 dated 7th December, 1955, I order the cancellation of the aforesaid customs purposes copy of the licence.

4. The applicant is now being issued duplicate customs purposes copy of the aforesaid licence for Rs. 30,000/- indicating utilised value of Rs. 24,559/- and unutilised value of Rs. 5441/- on GCA in accordance with the provision of para 320(4) of the Hand Book of Rules and Procedure 1975-76.

[No. NP-G-18/(N)/AM-73/AU-HH/CLA-2796]

K. N. KAPOOR, Dy. Chief Controller,
for Jt. Chief Controller.

विदेश मंत्रालय

नई विल्ली, 27 जनवरी, 1976

का० आ० ६८०—राजनयिक एवं कोसली प्रधिकारी (शपथ तथा फीस) प्रधिनियम, 1948 (1948 का 41) के बंध 2 की धारा (क) के प्रनुसार, केन्द्रीय सरकार इसके द्वारा साना-स्थित भारतीय राजदूतावास में सहायक, श्री जै० सी० मल्होत्रा को कोसली एजेंट के रूप में काम करने का प्रधिकार प्रदान करती है।

[फाइल सं० टी० 4330/1/76]

पी० आर० नम्बिसन, अवर सचिव

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 27th January, 1976

S.O. 680.—In pursuance of clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths & Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri J. C. Malhotra, Assistant in the Embassy of India, Sanaa to perform the duties of a Consular Agent with immediate effect.

[File No. T. 4330/1/76]

P. R. NAMBISSAN, Under Secy.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई विल्ली, 27 जनवरी, 1976

का० आ० ६८१—कोयला वाने क्षेत्र (प्रजनन और विकास) प्रधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के प्रधीन भारत सरकार के ऊर्जा मंत्रालय, कोयला विभाग की प्रधिसूचना सं० का० ३०० १३९४ तारीख २१ अप्रैल, १९७५ द्वारा केन्द्रीय सरकार ने अपने इस आशय की सूचना दी थी कि उस अधिसूचना से उपचार अनुसूची में विनियिष्ट परिस्थितों में स्थित 788.00 एकड़ (लगभग) या 315.65 हेक्टेयर (लगभग) भूमि में कोयले के लिए पूर्वोक्त करने के अपने आशय की सूचना दी थी।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त भूमियों में कोयला उपलब्ध है;

आशय: केन्द्रीय सरकार, कोयला वाने क्षेत्र (प्रजनन और विकास) प्रधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) द्वारा प्रदत्त प्रक्रियों का प्रयोग करते हुए इससे उपचार अनुसूची में वर्णित

780.00 एकड़ (लगभग) या 315.65 हेक्टेयर (लगभग) भूमि को प्रजित करने के अपने आशय की सूचना देती है।

2. इस प्रधिसूचना में आने वाले क्षेत्रों के रेखांकों का निरीक्षण अपायुक्त रांची (बिहार) के कार्यालय में या कोयला मियन्टक कार्यालय, 1, कौसिल हाउस स्ट्रीट, कलकत्ता या सेन्ट्रल कोल फील्ड लिमिटेड (राजस्व प्रनुभाग) कार्यालय, वरंगल हाउस रांची (बिहार) में किया जा सकता है।

3. केन्द्रीय सरकार ने कोयला मियन्टक, 1, कौसिल हाउस स्ट्रीट, कलकत्ता को इस प्रधिनियम के प्रधीन सक्षम प्राधिकारी नियुक्त किया है।

प्रत्यक्षी

डाकरा खण्ड

उत्तरी करनपुरा कोयला क्षेत्र

झाँग सं० राजस्व/46/75

(जिसमें प्रजित की जाने वाली भूमियां दर्शित हैं)

क्रम	ग्राम	थाना	थाना संख्या	जिला क्षेत्र	टिप्पणी
संख्या					
1.	विश्राम पुर	बर्मू	15	रांची	भाग
2.	बुकबुका	"	14	"	"

कुल क्षेत्र:—780.00 एकड़ (लगभग)

पा

315.65 हेक्टेयर (लगभग)

विश्राम पुर ग्राम में प्रजित किए जाने वाले भूखण्डों के संख्याएँ:

1, 2(भाग), 3 से 17, 20 से 97, 98 (भाग), 99 से 223, 224 (भाग), 225, 226, 227 (भाग), 228 (भाग), 229 (भाग), 230 (भाग), 231 से 275 (भाग), 277 (भाग), 278 से 292, 293 (भाग), 294 (भाग) 295 (भाग), 300 (भाग), 301 (भाग), 305 (भाग), 306 से 355, 356 (भाग), 357, 358 (भाग), 359 (भाग), 360, 361 (भाग), 362 (भाग), 366 (भाग), 616 और 617।

बुकबुका ग्राम में प्रजित किए जाने वाले भूखण्डों के संख्याएँ:

1 (भाग) और 7 (भाग)

सीमा बर्णन

ए-बी रेखा विश्राम पुर ग्राम के भूखण्ड संख्या 2 और 356 से होकर जाती है (जो करकटा कोलियरी की पट्टाधूत सीमा भागरूप है)

बी-सी-डी रेखा विश्राम पुर ग्राम के भूखण्ड सं० 356, 98, 358, 359, 98, 361, 366, 362, 366, 305, 301, 293, 300 और 295 और बुकबुका ग्राम के भूखण्ड सं० 1 और 7 से होकर जाती है (जो के० डी० कोलियरी की पट्टाधूत सीमा का भागरूप है)

डी-ई रेखा बुकबुका ग्राम के भूखण्ड संख्या 7 और 1 तथा विश्राम-पुर ग्राम के भूखण्ड सं० 294, 293, 277, 276, 230, 227, 224, 228, और 229 से होकर गुजरती है (जो डाकरा बुकबुका कोलियरी की पट्टाधूत सीमा का भागरूप है)

ई-एफ रेखा सोलीबा नदी के बाएँ किनारे से होकर दामोदर नदी के साथ-साथ विश्राम पुर और चूरी ग्रामों की सामान्य सीमा के साथ जाती है (जो नानकी कोलियरी की पट्टाधूत सीमा का भागरूप है)

एक-जी यह रेखा दामोदर नदी की मध्यवर्ती रेखा के एक भाग के साथ-साथ जाती है (जो ग्राम विशाम पुर थाना बर्मू, जिला रांची और ग्राम बेंटी, थाना टंडवा, जिला हजारी बाग, विशाम पुर थाना वर्मू जिला रांची और कुटकी थाना टंडवा जिला हजारी बाग की सामान्य सीमा है)

जी-ए रेखा दामोदर नदी के साथ-साथ जाती है (जो विशाम पुर और करकटा ग्रामों की प्राचिक सामान्य सीमा है)।

[सं० 19(1)/75 सी० ई० ए८]

एस० प्रार० ए० रिजबी, उप-सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 27th January, 1976

S.O. 681.—Whereas by the notification of the Government of India in the Ministry of Energy, Deptt. of Coal, No. S.O. 1394 dated the 21st, April, 1975, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 780.00 acres (approximately or 315.65 hectares (approximately) of the lands in the locality specified in the Schedule appended to that notification.

And whereas the Central Government is satisfied that coal is obtainable in the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to acquire the lands measuring 780.00 acres (approximately) or 315.65 hectares (approximately) described in the Schedule appended hereto.

2. The plans of the area covered by this Notification may be inspected in the Office of the Deputy Commissioner, Ranchi (Bihar) or in the Office of the Coal Controller, 1, Council House, Street, Calcutta or in the Office of the Central Coal fields Limited (Revenue Section) Darbhanga House, Ranchi, Bihar.

3. The Coal Controller, 1, Council House Street, Calcutta, has been appointed by the Central Government as the competent authority under the Act.

THE SCHEDULE Dakara Block North Karanpura Coal Field

Drg. No. Rev/46/75
Dated

(Showing lands to be acquired)

Sl. No.	Village	Thana	Thana Number	District	Area	Re- marks
1.	Bishrampur	Burm	15	Ranchi	Part	
2.	Bukbuka	"	"	"	"	
Total Area :—780.00acres (approximately) or 315.65 hectares (approximately)						

Plot numbers to be acquired in village Bishrampur :—1, 2(part), 3 to 17, 20 to 97, 98(part), 99 to 223, 224(part), 225, 226, 227(part), 228(part), 229(part), 230(part), 231, to 275, 276(part), 277(part), 278 to 292, 293(part), 194(part), 295(part), 300(part), 301(part), 305(part), 306 to 355, 356(part), 357, 358(part), 359(part), 360, 361(part), 362(part), 366(part), 616 and 617.

Plot numbers to be acquired in village Bukbuka :—1 (part) and 7 (part).

BOUNDARY DESCRIPTION

A-B line passes through plot numbers 2 & 356 of village Bishrampur (which forms common boundary with the lease hold boundary of Karkata Colliery)

B-C-D lines pass through plot numbers 356, 98, 358, 359, 98, 361 366, 362, 366, 305, 301, 293, 300 & 295 of village Bishrampur and plot nos. 1 and 7 of village Bukbuka (which forms common boundary with the lease hold boundary of K.D. Colliery).

D-E line passes through plot numbers 7 & 1 of village Bukbuka and plot numbers 294, 293 277, 276, 230, 227 224, 228 & 229 of village Bishrampur (which forms common boundary with the lease hold boundary of Dakara-Bukbuka Colliery).

E-F line passes along the left bank of Sonabuba Nadi and then through Damodar River along the part common boundary of villages Bishrampur & Churi (which forms common boundary with the lease hold of (Nanki Colliery).

F-G line passes along the part Central line of Damodar River or Deonad Nadi (which forms common boundary of village Bishrampur of thana Burmu, Distt. Ranchi and Benti of thana Tandwa, Distt. Hazaribagh, Bishrampur of thana Burmu Distt. Ranchi and Kutki of thana Tandwa Distt. Hazaribagh).

G-A line passes through Damodar River (which forms part common boundary of villages Bishrampur and Kar kata).

[No. 19(1)/75-CEL
S.R.A. RIZVI Dy.
Secretary

उद्योग तथा नागरिक पूर्ति मंत्रालय

(ग्रौविधिक विकास विभाग)

भारतीय मानक संस्था

नई दिल्ली, 21 जनवरी, 1976

का०ग्रा० 682.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिन्दु) विनियम 1955 के विनियम 4 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि उक्त विनियम (3) के उपविनियम (1) के प्रत्यक्षिकारों के अधीन यहां अनुमूली में क्रिये भारतीय मानकों के संशोधन जारी किये गये हैं :—

प्रत्यक्षी

क्रम संख्या	संशोधित भारतीय मानक की पद्धतिका श्रौर शीर्षक	जिस राजपत्र में भारतीय मानक के संवार होने की सूचना श्रौर शीर्षक	संशोधन की संख्या और तिथि	संशोधन का सर्वान्पत्र विवरण	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1. IS : 398-1961	शिरोपरि पावर प्रेषण कार्यों के लिये सख्त छिचे लड्डार एवं मिनियम दिनांक 10 फरवरी, 1962 श्रौर इस्पात की ओर वाले एवं मिनियम आलकों की विशिष्टि (पुनरीक्षित)	एस ओ 417	*संख्या 7 जुलाई, 1975]	(पृष्ठ 20 पहले रिप्रिट का पृष्ठ 21 और 31 जुलाई, 1975 कूपरे तथा तीव्ररे रिप्रिट का पृष्ठ 18) सारणी III, शम्भ 3, प्रतिम इंद्रराज "318.4" के स्थान पर "518.4" कर लीजिए।	
2. IS : 691-1966	कोयला खानों में उपयोग के लिये रबड़ रोधित लचकीले ट्रैलिंग केवलों की विशिष्टि	एस ओ 2417	संख्या 2 जुलाई 1967	(2) [पृष्ठ 22 (पहले रिप्रिट का पृष्ठ 23 और दूसरे तथा तीव्ररे रिप्रिट का पृष्ठ 19) सारणी 4]— गांकेतिक ताप्र क्षेत्र '6.5' और '13' के बीच निम्नलिखित मान तत्संबंधी स्तम्भों में जोड़ लीजिए:—	
				(1) (2) (3) (4) (5) (6) (7) 11.6/1.96 1/1.96 18.1 73 1.592 688	
				(1) (पृष्ठ 9, खण्ड 9.1) — खण्ड 9.1 के आव निम्नलिखित नया खण्ड जोड़ लीजिए:—	1 अगस्त 1973
				'9.2' कवच IS : 3975-1967 के अनुरूप होगा।	
				(2) (पृष्ठ 9 पाद, टिप्पणी) — (*) तारांकित पाद टिप्पणी के बाद निम्नलिखित पाद टिप्पणी जोड़ लीजिये:— "किसीलों पर कवच चढ़ाने के लिये मृत्यु इस्पात के तार, पत्ती और टेप की विशिष्टि"	
				(3) (सारणी 20, 23, 24, 25, 27 और 29 में) — सभी सारणियों के बाद निम्नलिखित टिप्पणी जोड़ लीजिए:— "टिप्पणी : समस्त व्यास के मान केवल जानकारी के लिए ही है।"	
3. IS : 732-1963	विजली के तार उपयोग के लिये की रीति सहित (650 बोल्ट से दिनांक 20 अप्रैल 1963 अनाधिक बोल्टों प्रणाली (पुनरीक्षित)	एस.ओ. 1147	संख्या 4 अगस्त/1975 खण्ड 5.8.1(इ) सारणी 2 और 3 का, (31 अगस्त 1975) संशोधन किया गया है।		
4. IS : 950-1970	प्रगति शामक के उपयोग के लिये पानी के टेंडर टाइप 'बी' की विशिष्टि (पहला पुनरीक्षण)	एस.ओ. 3305	संख्या 1 अगस्त 1975 (1) खण्ड 4.5.6, 4.5.12, 4.10.2 बी), 31 अगस्त 1975 4.10.2 सी), 4.11.3.2, 4.12 और परिस्थित 'ए' का संशोधन किया गया है।		
				(2) (पृष्ठ 9, खण्ड 4.5.10.1) — इसको हटा दीजिए।	
				(3) (पृष्ठ 14, खण्ड 4.10.2(इ)) — इसको हटा दीजिए और मव (एफ) तथा (जी) की क्रम संख्या (ई) और (एफ) कर लीजिए।	

*भां मां संख्या प्रगति चिन्ह योजना कार्यों के लिये यह संशोधन 1 अगस्त, 1975 से लागू हो जायेगा।

(1)	(2)	(3)	(4)	(5)	(6)
5. IS : 1068-1968 लोहे और इसात पर निकाय और क्रमियम के लिए की विशिष्ट पहला पुनरीक्षण)	एस. ओ. 368 25 जनवरी, 1969	संख्या 1 अगस्त 1975	खण्ड 4 के स्थान पर नया खण्ड दिया गया है।	31 अगस्त 1975	
6. IS : 1239 भाग 1)-1973 मृदु-इसात की नलियों, नलिकाकार बस्तुओं और पिटवां इसात के अन्य फिटिंग की विशिष्ट भाग 1 मृदु इसात की नलियां (तीसरा पुनरीक्षण)	—	संख्या 1 अगस्त 1975	(1) पृष्ठ 2, पैनल की सदस्यता, पृष्ठ. एस. डी. सी. पी 15) -- “गुजरात स्टील ट्रूस्स लिमिटेड, लोपती” के स्थान पर “गुजरात स्टील ट्रूस्स, लिमिटेड, प्रह्लदाशाव कर लीजिए। (2) सारणी 3,4,5 और आकृति 1 का संशोधन किया गया है। (3) (अंतिम पृष्ठ, भारतीय मानकों की (सूची)-- IS : 1239 भाग 1) -- 1974 के स्थान पर IS : 1239 (भाग 1) -- 1973 कर लीजिए।	31 अगस्त 1975	
7. IS : 1664-1968 पशु आहार के पूरकों के स्वरूप में प्रयुक्त खनिज मिश्रण की विशिष्टि (पहला पुनरीक्षण)	एस. ओ. 2766 विनांक 10 अगस्त 1968	संख्या 1 अगस्त, 1975	(1) (पृष्ठ 4 खण्ड 3.1.1) -- इसको हटा दीजिए। (2) (पृष्ठ 6, खंड 4.2 (सी)) -- इसको हटा दीजिए और इसके बाद की मर्दों की अम संख्या ठीक कर लीजिए।	31 अगस्त 1975	
8. IS : 1884-1970 स्वचल गाड़ियों के विजली के शर्तों की विशिष्टि (पहला पुनरीक्षण)	एस. ओ. 5032 दिनांक 6 नवम्बर, 1971	संख्या 1 अगस्त 1975	(1) (पृष्ठ 8, खण्ड 6.1.2, पंक्ति 1) 6' के स्थान पर “nine कर लीजिए। (2) खण्ड 6.1.2.1 के स्थान पर नया खण्ड दिया गया है।	31 अगस्त 1975	
9. IS : 2206 (भाग 1)-1962 ज्वालासह बिजली की रोशनी के फिटिंग की विशिष्टि भाग 1 बलग्लास तथा ओवररॉल टाइप	एस. ओ. 2370 24 अगस्त 1963	संख्या 3 अगस्त 1975	(1) खण्ड 4.1 के स्थान पर नया खण्ड दिया गया है। (2) खण्ड 4.10.3 (एच) का संशोधन किया गया है।	31 अगस्त 1975	
10. IS : 2576-1963 ट्रांजिस्टर रेडियो रसियोवारों की शुपक बैटरीयों की विशिष्टि	एस. ओ. 950 21 मार्च 1964	संख्या 7 अगस्त 1975	(पृष्ठ II (रिप्रिट के पृष्ठ 12) सारणी 4 (संशोधन संख्या 6 वेबिए), स्टम्प 1, पहली इंदराज) -- 1 R 6 को (* तारंकित कर दीजिए।	31 अगस्त 1975	
11. IS : 2609-1972 रेल डिल्डों के काबलों की विशिष्टि (पहला पुनरीक्षण)।	—	संख्या 1 अगस्त 1975	खण्ड 6.1 और 7.3 के स्थान पर नए खण्ड जोड़ गए हैं।	31 अगस्त 1975	
12. IS : 2992-1965 रोधन प्रतिरोधित जांचने के यंत्रों (हल चालित) की विशिष्टि	एस. ओ. 2042 28 जून, 1965	संख्या 1 अगस्त 1975	(1) सारणी 1 के स्थान पर नई मारणी दी गई है। (2) (पृष्ठ 7, खण्ड 11.2.1 पंक्ति 3) भाव “For Infinity mark” को हटा दीजिए। (3) खण्ड 11.2.8 के स्थान पर नया खंड जोड़ गया है।	31 अगस्त 1975	
13. IS : 3452 (भाग 1)-1966 डागल स्लिपों की विशिष्टि भाग 1 सामान्य विनांक 7 दिसम्बर, 1968 अपेक्षाकृत परीक्षण	एस. ओ. 3818 1968	संख्या 2 अगस्त 1975	(1) खण्ड 12.8 और 12.9 के स्थान पर नए खण्ड दिए गए हैं। (2) खण्ड 12.9 के बाव नया खण्ड 12.10 जोड़ गया है।	31 अगस्त 1975	
14. IS : 4650-1968 लकड़ी के तिहाई ब्लाक की विशिष्टि	एस. ओ. 3152 विनांक 14 सितम्बर, 1968	संख्या 2 अगस्त 1975	खण्ड 3.4 और 4.3.1 के बाव अमश: 31 अगस्त 1975 खण्ड 3.5 और 4.3.2 जोड़ गए हैं।	31 अगस्त 1975	

(1)	(2)	(3)	(4)	(5)	(6)
15. IS : 4800 (भाग 2) - 1968 इनैमल- एस ओ 3152	संख्या 1	खण्ड 3.1 और सारणी 1 के स्थान पर	31 अगस्त 1975		
कृत गोल वायरिंग तार की विशिष्टि दिनांक 14 सितम्बर अगस्त 1975		नया खण्ड और सारणी दी गई है।			
भाग 2 अधिकृतम समग्र व्यास 1968					
16. IS : 6067-1971 इमेल के उपयोग एस ओ 120	संख्या 2	खण्ड 4.11 और 6.3 (एस) का	31 अगस्त 1975		
के लिए पानी के टेंडर टाइप एक्स की विनांक 13 जनवरी अगस्त 1975		संशोधन किया गया है।			
विशिष्टि 1973					
17. IS : 6370-1971 घरेलू उपयोग के एस ओ 770	संख्या 1	आकृति 2 में एक अतिरिक्त आकृति	31 अगस्त 1975		
लिए टेप के केंसंट की विशिष्टि विनांक 8 मार्च 1975		जोड़ी गई है।			
18. IS : 6660-1972 पुस्तकों में निर्देश एस ओ 1604	संख्या 1	सारणी 1 का संशोधन किया गया है।	31 अगस्त 1975		
चिन्हों की संदर्भिका	दिनांक 24 मई अगस्त 1975				
19. IS : 6762-1972 पेय चाक्कले की विशिष्टि	एस ओ 1604	(1) सारणी 1 का संशोधन किया गया है। 31 अगस्त 1975			
	दिनांक 24 मई 1975 अगस्त 1975	(2) खण्ड 3.2.1 और 4.3.1 का संशोधन किया गया है;			
		(3) पृष्ठ 4 पर (†) विहाकित पाद टिप्पणी के स्थान पर नई टिप्पणी दी गई है। और			
		(4) खण्ड ए-4.1 के स्थान पर नया खण्ड दिया गया है।			

इन संशोधनों की प्रतियां भारतीय मानक संस्था, मानक भवन, 9 बहावुरेखाह अफर मार्ग, नई विल्ली 110002 और इसके शास्त्र कार्यालयों; भ्रह्मवाचाद, बंगलौर, अम्बर्ह, कलकत्ता, चंडीगढ़, हैदराबाद, कानपुर, मद्रास और पटना से उपलब्ध हैं।

[सं० सी० एम० डी०/ 13 : 5]

MINISTRY OF INDUSTRY AND CIVIL SUPPLIES

(Department of Industrial Development)

Indian Standards Institution

New Delhi, the 21st January, 1976

S.O. 682.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment (s) to the Indian Standard (s) given in the schedule hereto annexed has/have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

SCHEDULE

Sl. No. and title of the Indian Standard No.	and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified.	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1. IS : 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (Revised)	S.O. 417 dated 10 Feb. 1962	*No. 7 Jul 1975	(i) [Page 20 (page 21 of the first reprint and page 18 of the second and third reprints) Table III, col 3, last entry]— Substitute '518.4' for '318.4' (ii) [Page 22 (page 23 of the first reprint and page 19 of the second and third reprints) Table IV]— Add the following values in between nominal copper area '6.5' and '13' in the respective columns :		31 Jul 1975
			'(1) 11 (2) 6/1.96 (3) 1/1.96 (4) 18.1 (5) 73 (6) 1.592 (7) 688		

* For purposes of ISI Certification Marks, Scheme ; this amendment shall come into force with effect from 1 Aug. 1975.

(1)	(2)	(3)	(4)	(5)	(6)
2. IS : 691-1966 Specification for rubber-insulated flexible trailing cables for use in coal mines	S.O. 2417 dated 22 Jul 1967	No. 2 Aug; 1975	(i) (Page 9, clause 9.1)—Add the following new clause after 9.1 : '9.2 the armour shall comply with IS : 3975-1967†'	1 Aug; 1975	
3. IS : 732-1963 Code of practice for electrical wiring installations (system voltage not exceeding 650 volts) (Revised)	S.O. 1147 dated 20 Apr 1963	No. 4 Aug; 1975	(ii) (Page 9, foot-note)—Add the following foot-note after the foot-note marked(*)— 'Specification for mild steel wires, strips and tapes for armouring cables.'	31 Aug; 1975	
4. IS : 950-1970 Specification for water tender, type B, for fire bridge use (First Revision)	S.O. 3305 dated 21 Oct 1972	No. 1 Aug., 1975	(iii) (Tables 20, 23, 24, 25, 27 and 29)—Add the following note at the end in all the tables : 'NOTE—The values for overall diameter are for information only.'	31 Aug; 1975	
			Clause 5.8, 1(3), Tables II & III have been amended.	31 Aug; 1975	
5. IS : 1068-1968 Specification for electroplated coatings of nickel and chromium on iron and steel (First Revision)	S.O. 368, dated 25 Jan. 1969	No. 1 Aug., 1975	(i) Clauses 4.5.6, 4.5.12, 4.10.2(b), 4.10.2(c), 4.11.3, 2, 4.12 and Appendix 'A' have been amended ; (ii) (Page 9, clause 4.5.5.10.1)—Delete [Page 14, clause 4.10.2 (e)]—Delete and re-number items (f) and (g) as (e) and (f) respectively.	31 Aug; 1975	
6. IS : 1239 (Pt. I)—1973 Specification for mild steel tubes, tubulars and other wrought steel fittings Part I—mild steel tubes (Third Revision).	—	No. 1 Aug., 1975	Clause 4 has been substituted by a new one.	31 Aug., 1975	
7. IS : 1664-1968 Specification for mineral mixtures for supplementing cattle feeds (First Revision)	S.O. 2766, dated 10 Aug., 1968	No. 1 Aug., 1975	(i) (Page 2, composition of the Panel, SMDC 22 : P15)—Substitute 'Gujarat Steel Tubes Ltd, Ahmedabad' for 'Gujarat Steel Tubes Ltd., Khopoli'. (ii) Tables 3, 4, 5 and Fig. 1 have been amended. (iii) (Last page, list of Indian Standards)—Substitute 'IS : 1239 (Pt. I)—1973' for 'IS : 1239 (Pt. I)—1974'.	31 Aug., 1975	
8. IS : 1884-1970 Specification for automobile electric horns (First Revision)	S.O. 5032, dated 6 Nov., 1971	No. 1 Aug., 1975	(i) (Page 4, clause 3.1.1)—Delete [page 6, clause 4.2 (c)]—Delete and re-number the subsequent items accordingly. (ii) (Page 8, clause 6.1.2, line 1)—Substitute, 'Nine' for 'Six'.	31 Aug., 1975	
9. IS : 2206 (Pt. I)—1962 Specification for flameproof electric lighting fittings Part I—well-galss and bulkhead types	S.O. 2370, dated 24 Aug., 1963	No. 5 Aug., 1975	(ii) Clause 6.1.2.1 has been substituted by a new one. (i) Clause 4.1 has been substituted by a new one ; and (ii) Clause 4.10.3(h) has been amended	31 Aug., 1975	
10. IS : 2576-1963 Specification for dry batteries for transistor radio receivers	S.O. 950, dated 21 Mar., 1964	No. 7 Aug., 1975	[Page 11 (page 12 of the Reprint), Table IV (see Amendment No. 6), col. 1, first entry]—Put an asterisk (*) mark on IR6.	31 Aug., 1975	
11. IS : 2609-1972 Specification for coach bolts (First Revision).	—	No. 1 Aug., 1975	Clause 6.1 and 7.3 have been substituted by new ones.	31 Aug., 1975	
12. IS : 2992-1965 Specification for insulation resistance testers (hand-operated)	S.O. 2042, dated 28 Jun., 1965	No. 1 Aug., 1975	(i) Table I has been substituted by a new one ; (ii) (Page 7, clause 11.2.1 line 3)—Delete the words 'for infinity mark'. (iii) Clause 11.2.8 has been substituted by a new one.	31 Aug., 1975	
13. IS : 3452 (Pt. I)—1966 Specification for toggle switches, Part I general requirements and tests	S.O. 3818, dated 17 Dec., 1968	No. 2 Aug., 1975	(i) Clause 12.8 and 12.9 have been substituted by new ones ; and (ii) New clause 12.10 has been added after clause 12.9.	31 Aug., 1975	

(1)	(2)	(3)	(4)	(5)	(6)
14. IS : 4650-1968 Specification for wooden anvil blocks	S.O. 3152, dated 14 Sep., 1968	No. 1 Aug., 1975	Clause 3.5 and 4.3.2 have been added after clause 3.4 and 4.3.1 respectively.	31 Aug., 1975	
15. IS : 4800 (Pt. II)—1968 Specification for enamelled round winding wires Part II maximum overall diameters.	S.O. 4425, dated 14 Dec., 1968	No. 1 Aug., 1975	Clause 3.1 and Table I have been substituted by new ones.	31 Aug., 1975	
16. IS : 6067-1971 Specification for water tender, type 'X' for fire bridge use	S.O. 120, dated 13 Jan., 1933	No. 2 Aug., 1975	Clauses 4.11 and 6.3 (m) have been amended	31 Aug., 1975	
17. IS : 6370-1971 Specification for tape cassettes for domestic use	S.O. 770, dated 8 Mar., 1975	No. 1 Aug., 1975	An additional figure has been added in Fig. 2	31 Aug., 1975	
18. IS : 660-1972 Guide for illustrations in books	S.O. 1604, dated 24 May, 1975	No. 1 Aug., 1975	Table I has been amended	31 Aug., 1975	
19. IS : 6762-1972 Specification for drinking chocolate	S.O. 1604, dated 24 May, 1975	No. 1 Aug., 1975	(i) Table I has been amended ; (ii) Clauses 3.2.1 & A-3.1 have been amended ; (iii) Foot-note on page 4 with dagger (†) mark has been substituted ; and (iv) Clause A-4.1 has been substituted by a new one.	31 Aug., 1975	

These amendments are available with the Indian Standards Institution, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and also its branch offices at Ahmedabad, Bangalore, Bombay, Calcutta, Chandigarh, Hyderabad, Kanpur, Madras and Patna.

[No. CMD/13 : 5]

का० ग्रा० 683.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 4 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि उक्त विनियम (3) के उपविनियम (1) के अनुसार प्राप्त अधिकारों के अधीन यहां अनुसूची में दिए भारतीय मानक का संशोधन जारी किया गया है।

अनुसूची

क्रम संशोधित भारतीय मानक की संख्या पद संख्या और शीर्षक	जिस राजपत्र में भारतीय संशोधन की संख्या मानक की संख्या और दिनांक	संशोधन का संक्षिप्त विवरण	संशोधन लागू होने की तिथि
एस श्री संख्या और दिनांक			

1	2	3	4	5	6
1. IS : 3976-1975 खनिकों के रबड़ कैनेक्स बचाव बूटों की विणिष्ठि (पहला पुनरीक्षण)	--	संख्या 1 नवम्बर, 1975	मजबूती और उपयोगिता में किसी तरह कमी लाए जिना हल्की किस्म के बचाव बूट उपलब्ध कराने के उद्देश्य से विषय समिति ने दी जी एम एस द्वारा अनुमोदित बूट की एक नई डिजाइन लागू करने का निर्णय किया है, यह भार में हल्का, पहनने में प्रारामदेह और कम लंबा है। इस नए बूट में यह अपेक्षा हटा दी गई है कि जिपकी हर्ड रबड़ की पट्टी (फार्मिसिंग) को खाप और कर्ले ढकते हों। पहले वाली बूट की डिजाइन को टाइप 1 और नई डिजाइन को टाइप 2 कहा गया है। दोनों प्रकार के बूट ट्यूब्स को ढकते हैं टाइप 1 ऊंचा होता है और टाइप 2 ऊंचा होता है।	1 नवम्बर 1975	

[संख्या सी एम डी/13: 5]

S.O. 683.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard (s) given in the schedule hereto annexed has been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

THE SCHEDULE

Sl. No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect	
(1)	(2)	(3)	(4)	(5)	(6)
1. IS : 3976-1975 Specification for Safety rubber-canvas boots for miners (first revision)	—	No. 1 Nov 1975	In order to make available a lighter type of safety boot without impairing serviceability and durability, the Sectional Committee decided to introduce a new design of boot duly approved by DGMS, which is lighter in weight, more comfortable to wear and is also more economical. In this new type of boot the requirement of vamps and quarter covering foxing (rubber layer) has been omitted. The design of boot already covered has been designated as Type 1 and the new design as Type 2. Both boots cover the ankle with type 1 being higher and type 2 being shorter.	1 Nov 1975	

[No. CMD/13 : 5]

का० प्रा० 684.—यसस्य समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि उक्त विनियम (3) के उपविनियम (1) के अनुसार प्राप्त अधिकारों के अधीन यहाँ अनुसूची में दिए भारतीय मानकों के संशोधन जारी किए गए हैं:

अनुसूची

कम संशोधित भारतीय मानक की जिस राजपत्र में भारतीय संशोधित मानक की संशोधन का संक्षिप्त विवरण संशोधन लागू होने की संख्या पद संख्या और शीर्षक मानक के तैयार होने की संख्या और विनांक सूचना छपी थी उसकी संख्या शीर्षक

1	2	3	4	5	6
1. IS : 249-1972 सोडियम बाइ-क्रोमेट तकनीकी की विशिष्टि (द्रूसरा पुनरीक्षण)	—	संख्या 1 जनवरी 1975	(पृष्ठ 6, खण्ड १-३, १३, सूत्र) "4.37 के स्थान पर '43.7' कर लीजिए"	1 जनवरी 1975	
2. IS : 274 (भाग 1 और 2)-1966 एम श्रो 1972 दिनांक 10 संख्या 1 कावड़ों की विशिष्टि भाग 1 सामान्य जून 1967 विसम्बर 1974 कावड़ों के कावड़े भाग 2 साप-उपचारित कावड़े			(1) भाग 1 और 2 के खण्ड 4.1 के स्थान पर नए खण्ड दिए गए हैं। (2) भाग 1 के पृष्ठ 4 पर अंत में एक पाद टिप्पणी जोड़ी गई है। (3) भाग 2 के खण्ड 4.3 के प्रत में एक पाद टिप्पणी जोड़ गई है।	1 विसम्बर 1974	
3. IS : 360-1964 ऐमिल अल्कोहल की विशिष्टि (पुनरीक्षण)	एम श्रो 4120 दिनांक 5 संख्या 2 विसम्बर 1964 जनवरी 1975		खण्ड 4.2 के बावजूद नया खण्ड 4.3 जोड़ 1 जनवरी 1975 गया है।		
4. IS : 543-1968 बिनोल के तेल की विशिष्टि (द्रूसरा पुनरीक्षण)	एस श्रो 1455 दिनांक 19 संख्या 2 अप्रैल 1969 विसम्बर 1974		(पृष्ठ 7, सारीणी 1 क्रमसंख्या 4, स्तम्भ 1 विसम्बर 1974 से 9 तक) "98 से 110" के स्थान पर "98 से 112" कर लीजिए		
5. IS : 585-1962 ए सी संकार विनांक प्रणाली की वोल्टता और आवृत्ति (पुनरीक्षण)	एम श्रो 1998 दिनांक 30 संख्या 4 जून 1962 जनवरी 1975		खण्ड 6.1 के स्थान पर नया खण्ड दिया 1 जनवरी 1975 गया है।		

1	2	3	4	5	6
6. IS : 589-1961	इलेक्ट्रानिक और विजनी के उपकरणों के पुर्जी के मूल उपयोग के लिए भूरी फलानेल की विशिष्टि (इमरा पुनरीक्षण)	एस एस 2144 दिनांक 14 जुलाई 1962	संख्या 6 दिसम्बर 1973	खण्ड 4.3, 4.4 और 4.5 का संशोधन किया गया है।	1 जनवरी 1975
7. IS : 674-1973	प्रस्तावों में उपयोग के लिए भूरी फलानेल की विशिष्टि (इमरा पुनरीक्षण)	—	संख्या 1 दिसम्बर 1974	सारणी 1 के अधीन वर्तमान टिप्पणी के स्थान पर नई टिप्पणी जोड़ी गई है।	1 दिसम्बर 1974
8. IS : 691-1966	कोशला स्थानों में उपयोग के लिए रवड़ रोधित स्थानों की देखिंग केवल की विशिष्टि (इमरा पुनरीक्षण)	एस एस 2417 दिनांक 22 जुलाई 1967	संख्या 1 दिसम्बर 1974	(पृष्ठ 23, सारणी 20, शीर्षक के सीमरे मुख्य स्तम्भ में) — "Minimum thickness of sheath" के स्थान पर "Nominal thickness of sheath" कर लीजिए।	1 दिसम्बर 1974
9. IS : 692-1973	विजनी भूर्जाई के कागज रोधित सीसा के खोलधार केवल की विशिष्टि (इमरा पुनरीक्षण)	संख्या 1 दिसम्बर 1974	(1) खण्ड 4.3, 16.2.2(ए) 2, 20, 3, 21.3.2, 24.1.1 (एच), 24.8.1, 24.12.1, 24.15.3 का संशोधन किया गया है।	(1) खण्ड 4.3, 16.2.2(ए) 2, 20, 3, 21.3.2, 24.1.1 (एच), 24.8.1, 24.12.1, 24.15.3 का संशोधन किया गया है।	1 दिसम्बर 1974
			(2) (पृष्ठ 32 से 49, सारणी 10 से 27, "steel strip" के अधीन स्तम्भ में) — शब्द 'ए' और 'बी' के स्थान पर क्रमशः "टाइप (ए)" और "टाइप (बी)" कर लीजिए।	(2) (पृष्ठ 32 से 49, सारणी 10 से 27, "steel strip" के अधीन स्तम्भ में) — शब्द 'ए' और 'बी' के स्थान पर क्रमशः "टाइप (ए)" और "टाइप (बी)" कर लीजिए।	
			(3) सारणी 10, 11, 13, 17 और 25 का संशोधन किया गया है।	(3) सारणी 10, 11, 13, 17 और 25 का संशोधन किया गया है।	
			(4) खण्ड 24.12.1.1 के स्थान पर नया खण्ड दिया गया है।	(4) खण्ड 24.12.1.1 के स्थान पर नया खण्ड दिया गया है।	
			(5) (पृष्ठ 21, खण्ड 24.15.4, प्रतिस्त वाक्य को हटा दीजिए।	(5) (पृष्ठ 21, खण्ड 24.15.4, प्रतिस्त वाक्य को हटा दीजिए।	
			(6) (पृष्ठ 34, सारणी 12, स्तम्भ 7, पहली ओर प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	(6) (पृष्ठ 34, सारणी 12, स्तम्भ 7, पहली ओर प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	
			(7) (पृष्ठ 41, सारणी 19, स्तम्भ 6, पहली छह प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	(7) (पृष्ठ 41, सारणी 19, स्तम्भ 6, पहली छह प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	
			(8) (पृष्ठ 42, सारणी 20, स्तम्भ 7, पहली ओर प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	(8) (पृष्ठ 42, सारणी 20, स्तम्भ 7, पहली ओर प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	
			(9) (पृष्ठ 43, सारणी 21, स्तम्भ 7, पहली तीन प्रतिस्तियों में) — सभी स्थान पर '0.8' के स्थान पर '0.5' कर लीजिए।	(9) (पृष्ठ 43, सारणी 21, स्तम्भ 7, पहली तीन प्रतिस्तियों में) — सभी स्थान पर '0.8' के स्थान पर '0.5' कर लीजिए।	
			(10) (पृष्ठ 44, सारणी 22, स्तम्भ 6, पहली ओर प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	(10) (पृष्ठ 44, सारणी 22, स्तम्भ 6, पहली ओर प्रतिस्तियों में) — सभी स्थानों पर '0.8' के स्थान पर '0.5' कर लीजिए।	

(1)	(2)	(3)	(4)	(5)	(6)
				(11) (पृष्ठ 45, सारणी 23, स्तम्भ 6, पहली प्रधिकृत में) -- "0.8' के स्थान पर '0.5' कर लीजिए।	
				(12) (पृष्ठ 11, खण्ड 20.3, पंक्ति 4) -- शब्द 'percent' के बाद 'of the nominal' जोड़ दिया गया है।	
				(13) (पृष्ठ 12, खण्ड 21.3.2, पंक्ति 3) -- शब्द 'percent' के बाद 'of the nominal value' जोड़ा गया है।	
				(14) (पृष्ठ 14, खण्ड 23.3.2, पंक्ति 3) -- शब्द 'percent' के बाद 'of the nominal value' जोड़े गए हैं।	
				(15) पृष्ठ 30, सारणी 7, शीर्षक में -- शब्द 'Single-Core' and 'Screened' के बीच में शब्द 'Unarmoured' जोड़ा गया है।	
10. IS : 816--1969 मृदुइस्पात एस० औ० 1277 दिनांक 27 मई, संख्या 2 जनवरी, की सामान्य संरचना के लिए 1972 मेटल आके बेलिंग के उपयोग की रीतिसंहिता (पहला पुनरीक्षण)			1975	प्राकृति उसी और 5 बी का संशोधन 1 जनवरी, 1975 किया गया है।	
11. IS : 930--1959 अग्नि एस० औ० 2834 दिनांक 26 संख्या 1 शामन के लिए प्रशार सीड़ियों दिसम्बर, 1959 को विशिष्ट				(पृष्ठ 1 और 2, वर्तमान शीर्षक के स्थान पर निम्नलिखित जोड़ लीजिए: "Indian standard specification for wooden Extension ladders for fire fighting purposes"	
12. IS : 1078--1973 ताप्र नफ थेनेट की विशिष्टि (पहला पुनरीक्षण)		संख्या 1 जनवरी, 1975		[पृष्ठ 13, सारणी 3, स्तम्भ 6, कम- 1 जनवरी, 1975 संख्या (2) के सामने] 'X' के स्थान पर 'X ₂ ' कर लीजिए।	
13. IS : 1079--1973 गर्म बेलिंग कार्बन इस्पात की आहर और पत्ती की विशिष्टि (तीसरा पुनरीक्षण)		संख्या 1 दिसम्बर, 1974		(1) सारणी 1 और 4 का संशोधन 1 दिसम्बर, 1974 किया गया है। (2) खण्ड 7.1 का संशोधन किया गया है।	
14. IS : 1148-1973 सरचना कायों के लिये गर्म बेलिंग इस्पात की रिवेट छड़े (40 मिमी ल्यास) की विशिष्टि (तृसरा निरीक्षण)		जनवरी		पृष्ठ 7, खण्ड 11.2, 1 पंक्ति 1) "35 1 जनवरी, 1957 मिमी" के स्थान पर "25 मिमी" कर लीजिये	
15. IS : 1223 (भाग 1) - एस० औ० 1635 दिनांक 8 जुलाई, 1970 गरबर पद्धति द्वारा 1972 दूष की वसा शात करने गम्भीरी उपकरण की विशिष्टि भाग 1 मक्खन स्नेहमापी स्टापर्स (पहला पुनरीक्षण)		संख्या 2 दिसम्बर, 1974		सारणी 2 का संशोधन किया गया है। 1 दिसम्बर, 1974	

(1)	(2)	(3)	(4)	(5)	(6)
16. IS : 1431-1973 गोल जारी दार सूती मछलीवानी की विशिष्ट (पहला पुनरीक्षण)		संख्या 1 जनवरी, 1975	(पृष्ठ 5, सारणी 1, स्तम्भ 6)-"11: 14 से 15" के स्थान पर '10:13 से 14' कर लीजिये		1 जनवरी, 1975
17. IS : 1507-1966 ताज्ज एस० श्रो० 1759 दिनांक 20 मई, संख्या 5 आक्षरीकूलोराहड जल विस- 1967 जंनीय तेज कृषि की विशिष्ट (पहला पुनरीक्षण)		जनवरी, 1975	सारणी 1 का संशोधन किया गया है। 1 जनवरी, 1975		
18. IS : 2171-1972 शुष्क पाउडर प्रकार के सुमाहनायि नय प्रतिन शामकों की विशिष्ट (पहला पुनरीक्षण)		संख्या 1 जनवरी, 1975	(1) अनोपचारिक सारणियों के खंड 8. 1, 2 और 9. 2 के स्थान पर नए खंड जोड़े गए हैं। (2) खंड 8. 7, 1, 8. 8, 5. 1 और 8. 1. 1 का संशोधन किया गया है, और (3) अनोपचारिक सारणियों के खंड 9. 3, 11. 4 और 4. 1 का का संशोधन किया गया।	1 जनवरी, 1975	
19. IS : 2223-1971 फ्लैज/ एस० श्रो० 120 दिनांक चढ़ो ऐसी प्रेरण मोटरों के 13 जनवरी, 1973 माप (पहला पुनरीक्षण)		संख्या 2 जनवरी, 1975	सारणी 2 और 4 का संशोधन किया गया गया है।	1 जनवरी, 1975	
20. IS : 2551-1963 खनरे एस० श्रो० 1102 दिनांक के नोटिस की ज्वेट 28 मार्च 1964		संख्या 1 जनवरी, 1975	(पृष्ठ 3, खंड 2. 2, पंक्ति 1) — "2 मिमी" के स्थान पर "1. 6 मिमी" कर लीजिए	1 जनवरी, 1975	
21. IS : 2597(भाग 1)-1964 हलेस्ट्रान्ट्यूबों के प्रयोग की रीतिसंहिता भाग 1 वाणिज्य संशाही द्वारे।		संख्या 2 जनवरी, 1975	खंड 3. 4. 2. 2 का संशोधन किया गया है।	1 जनवरी, 1975	
22. IS : 2789-1972 विशेष प्रकार की जलसह तिरपाल की विशिष्ट (पहला पुन- रीक्षण)		संख्या 1 जनवरी, 1975	खंड 3. 1, 3 का संशोधन किया गया है।	1 जनवरी, 1975	
23. IS : 2802-1964 आइस- श्रोम की विशिष्ट 24 अप्रैल, 1965	एस० श्रो० 1253 दिनांक	संख्या 2 दिसम्बर, 1974	खंड सी-2. 1 और सी-3. 1 का संशोधन किया गया है।	1 दिसम्बर, 1974	
24. IS : 3508-1966 धी (मक्कन की बसा) की बानगी सेने तथा परीक्षण की पश्चिम	एस० श्रो० 241 दिनांक 21 जनवरी, 1967	संख्या 2 दिसम्बर, 1974	(1) खंड 22. 1. 4 के स्थान पर नया खंड विया गया है। (2) खंड 22. 3 के बाद नया खंड जोड़ा गया है।	1 दिसम्बर, 1974	
25. IS : 3588-1966 विजली के एकल बाले बहाव पंखों की विशिष्ट	एस० श्रो० 241 दिनांक 21 जनवरी, 1967	संख्या 4 दिसम्बर, 1974	(1) खंड 13. 2. 11 (धी) और सी-1 की इक्वेशन के स्थान पर नई इक्वेशन धी गई है। (2) खंड 11. 1 के बाद नया खंड जोड़ा गया है।	1 दिसम्बर, 1974	
26. IS : 3700 (भाग 9)- 1972 एकरिश चालित साधनों के आवध्यक रेटिंग और सामग्री; भाग 9 अस्प पावर सिग्नल डाइग्रोड		संख्या 1 जनवरी 1975	सारणी 2 का संशोधन किया गया है।	1 जनवरी, 1975	
27. IS : 3743-1966 (हस्त एस० श्रो० 241 दिनांक आलित) बालों के फ्लीपस की विशिष्ट	एस० श्रो० 241 दिनांक 21 जनवरी, 1967	संख्या 2 जनवरी, 1975	खंड 8. 4 का संशोधन किया गया है।	1 जनवरी, 1975	
28. IS : 3851-1966 शुष्क एस० श्रो० 1759 दिनांक नमक संगी प्रशालक मछली की विशिष्ट	एस० श्रो० 20 मई, 1967	संख्या 1 जनवरी, 1975	(पृष्ठ 4, खंड 1. 1. 1, पंक्ति 4)- 'Gsegerious sp' के स्थान पर 'osteogeneious sp' कर लीजिए	1 जनवरी, 1975	

(1)	(2)	(3)	(4)	(5)	(6)
29. IS : 3853-1966 मुख्य नमक लद्दी औड़ा मैकरेल मछली की विशिष्ट	एस० ओ० 1759 विनांक 20 मई 1967	संख्या 1 दिसम्बर, 1974	खंड 1.1.1 और सारणी 1 की संशोधन किया गया है।		1 दिसम्बर, 1974
30. IS : 4030-1973 सामान्य इंजीनियरी कार्यों के लिए ठंडी वैसित कार्बन इस्पात की पत्ती की विशिष्ट (पहला पुनरीक्षण)		संख्या 1 जनवरी, 1975	सारणी 1 और 2 का संशोधन किया गया है।		1 जनवरी, 1975
31. IS : 4147-1967 परम्परागत एस० ओ० 4080 विनांक संग्राही इलेक्ट्रोल ट्यूब की 18 नवम्बर, 1967 मापन पद्धति	एस० ओ० 287 विनांक 20 जनवरी, 1968	संख्या 2 दिसम्बर, 1974	खंड 11. 2. 3 के बाद नए खंड से 16 तक जोड़े गए हैं।		12 दिसम्बर, 1974
32. IS : 4268-1967 बायू निधुवित प्राप्तिक तम्य सेलों की विशिष्टि		संख्या 3 दिसम्बर, 1974	(1) सारणी 2 के स्थान पर सारणी थी गई है। (2) पुष्ट 10 आकृति 1 के शीर्षक (संशोधन संख्या 2 भी देखिए)।— आकृति के बर्तमान शीर्षक के स्थान पर निम्नलिखित जोड़ लीजिए : “Fig 10. Cover for AWCL Cells”		1 दिसम्बर, 1974
33. IS : 4894-1968 अपेक्षीय एस० ओ० 1455 विनांक पंखों की विशिष्टि	एस० ओ० 19 अप्रैल, 1969	संख्या 2 विसम्बर 1974	(3) पुष्ट 11, आकृति 2 (संशोधन संख्या 2 भी देखिए)।—“45°” के स्थान पर “40°” कर लीजिए। (1) खंड 12. 2 11 (बी) और खंड 11 जोड़ा गया है और मानक में प्रावधानकातामुसार सभी स्थान पर पुनः कम संख्या देकर ठीक किया गया है। (2) खंड 10. 1 के बाद नया खंड 11 जोड़ा गया है और मानक में प्रावधानकातामुसार सभी स्थान पर पुनः कम संख्या देकर ठीक किया गया है। (पुष्ट 4, सारणी 1, स्तम्भ 3 की 1 दिसम्बर 1974 फ्रमसंख्या (4) के सामने)।— ‘0.1’ के स्थान पर ‘1.0’ कर लीजिए		1 दिसम्बर, 1974
34. IS : 4929-1968 डाइसलो- एस ओ 2330 विनांक रोबोम तकनीकी की विशिष्टि	एस ओ 14 जून 1969	संख्या 1 दिसम्बर 1974	(पुष्ट 4, सारणी 1, स्तम्भ 3 की 1 दिसम्बर 1974 फ्रमसंख्या (4) के सामने)।— ‘0.1’ के स्थान पर ‘1.0’ कर लीजिए		
35. IS : 5298-1969 अवसन परास और अवसन उपलब्धि की निर्धारित पद्धति	एस ओ 3252 विनांक 3 अक्टूबर 1970	संख्या 1 जनवरी 1975	(1) खण्ड 0.6, 4.0, 5.3 और 1 जनवरी 1975 7.1 का संबोधन किया गया है। (2) खण्ड 4.2 और 5.1 के स्थान पर नए खण्ड जोड़ दिए गए हैं। (3) (पुष्ट 9, खण्ड 5.1.1) इस को हटा दीजिए		1 जनवरी 1975
36. IS : 5612-1969 अविन शामक कार्यों में उपयोग के लिए होज-ब्लेंड और होज- पट्टियों की विशिष्टि	एसओ 50 32 विनांक 6 सप्तम्बर 1971	संख्या 1 विसम्बर 1974	(1) खण्ड 2.4 (बी), 2.7, 3.2, 1 दिसम्बर 1975 4.2.2, 4.2.3 और 4.3 का संशोधन किया गया है; (2) (पुष्ट 4, खण्ड 2.8)।—इस खण्ड को हटा कर खण्ड 2.9 को 2.8 कर दिया गया है; (3) (पुष्ट 6, आकृति 2, शीर्षक)।— बर्तमान शीर्षक के स्थान पर निम्नलिखित जोड़ा गया है:		1 दिसम्बर 1975

(1)	(2)	(3)	(4)	(5)	(6)
37. IS: 5638-1970 विनाये एस आरो 5032 विनाक तथा मूर्गफली) ग्रम्स तेल की विशिष्टित	6 नवम्बर 1971	संख्या 1 जनवरी 1975	सारणी 1 और खण्ड बी-3. 1. 8 का संशोधन किया गया है।		1 जनवरी 1975
38. IS: 6199-1971 मुर्गवाही एस आरो 2802 विनाक के सस की विशिष्टि	27 अक्टूबर 1971	संख्या 1 दिसम्बर 1974	सारणी 5. 3. 4 का संशोधन किया गया है।		1 दिसम्बर 1974
39. IS: 6200-1971 सांच्यकी परीक्षणों का भूत्व	एस आरो 3055 विनाक 27 अक्टूबर 1973	संख्या 1 जनवरी 1974	सारणी 5. 3. 4 का संशोधन किया गया है।		1 दिसम्बर 1974
40. IS: 6305 (भाग 2)- 1972 पावर बालित श्रौद्धो- गिक ट्रकों की वचाव सहित भाग 2 उत्पादन	—	संख्या 1 जनवरी 1975	(पृष्ठ 12, खण्ड 5, 6, प्रतिम पक्षि)- 'extend' के स्थान पर 'extent' कर लीजिए		1 जनवरी 1975
41. IS: 6901-1973 विल्डिंग कटिंग और सम्बन्धित प्रक्रियों के लिए गेस सिलेंजरों के दाव रेज्युलेटरों की विशिष्टि	--	संख्या 1 जनवरी 1975	(सारणी 8, सारणी 1, स्तम्भ 3 और 5 के शीर्षक में)- 'kgf/mm ² ' के स्थान पर 'kjf/cm ² ' कर लीजिए		1 जनवरी 1975
42. IS: 7146 (भाग 1)- 1973 फोटो प्रभावी साधनों की मापन पद्धति भाग 1 मूल धारणाएं	—	संख्या 1 जनवरी 1975	(पृष्ठ 5, प्राप्ति 1)—शब्द को हटा दीजिए।		1 जनवरी 1975

इन संशोधनों की पतियां भारतीय मानक संस्था, 9 बहादुरशाह जफर मार्ग, नई दिल्ली 110002 तथा इसके अहमदाबाद, बंगलोर, वस्टर्न, कलकत्ता, चंडीगढ़, हैदराबाद, मद्रास और पटना स्थित शाखा कार्यालयों में उपलब्ध हैं।

[स० स० एम० बी०/13 : 5]

S.O. 684.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said regulations.

SCHEDULE

Sl. No. and title of the Indian Standard No. amended	No. and Date of Gazette Notifica- tion in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amend- ment shall have effect.	
1	2	3	4	5	6
1. IS: 249-1972 Specification for sodium bichromate, technical (second revision)	—	No. 1 Jan 1975	(Page 6, clause A-3.1.3, formula)— Substitute '43.7' for '4.37'	1 Jan 1975	
2. IS: 274 (Part I & II)—1966 Specification for shovels Part I General purpose shovels Part II Heat-treated shovels (second revision)	S.O. 1972 dated 10 June 1967	No. 1 Dec. 1974	(i) Clause 4.1 of Part I & II have been substituted by new ones (ii) A foot-note has been added at the end of page 4 of Part I (iii) A foot note has been added at the end of clause 4.3 of Part II	1 Dec 1974	
3. IS: 360-1964 Specification for amyl alcohol (revised)	S.O. 4120 dated 5 Dec 1964	No. 2 Jan 1975	New clause 4.3 has been added after clause 4.2	1 Jan 1975	
4. IS: 543-1968 Specification for cottonseed oil (second revision)	S.O. 1455 dated 19 Apr 1969	No. 2 Dec 1974	(Page 7, Table 1 Sl No. (vi), col 3 to 9) Substitute '98 to 112' for '98 to 110'	1 Dec 1974	
5. IS: 585-1962 Voltages and frequency for AC transmission distribution system (revised)	S.O. 1998 dated 30 Jun 1962	No. 4 Jan 1975	Clause 6.1 has been substituted by a new one	1 Jan 1975	
6. IS 589-1961 Basic climatic and mechanical durability tests for components for electronic and electrical equipment (revised)	S.O. 2144 dated 14 Jul 1962	No. 6 Jan 1975	Clauses 4.3, 4.4 and 4.5 have been amended	1 Jan 1975	
7. IS: 674-1973 Specification for flannel, Hospital, grey (second revision)	S.O. Dec 1974	No. 1 Dec 1974	Existing not under Table 1 has been substituted by a new one	1 Dec 1974	

1	2	3	4	5	6
8.	IS:691-1966 Specification for rubber insulated flexible trailing cables for use in coal mines	S.O. 2417 dated 22 Jul 1967	No. 1 Dec 1974	(Page 23, Table 20, third main column heading) -Substitute 'Nominal Thickness of sheath' for 'Minimum thickness of sheath'.	1 Dec 1974
9.	IS: 692-1973 Specification for paper insulated lead-sheathed cables for electricity supply (second revision)		No. 1 Dec 1974	(i) Clauses 4.3, 16. 2.2 (a) 2, 20, 3 21.3.3, 24.1.1(h), 24.8.1, 24.12.1, 24.15.3 have been amended (ii) (Pages 32 to 49, Table 10 to 27, columns under 'Steel Strip'—Substitute 'Type (a)' and 'Type (b)' for letter 'A' 'B' respectively (iii) Table 10, 11, 13, 17 and 25 have been amended (iv) Clause 24.12.1.1 has been substituted by a new one (v) (Page 21, clause 24.15.4. last sentence) Delete. (vi) (Page 34, Table 12, col 7, first eight entries) Substitute '0.5' for '0.8' at all places (vii) (Page 41, Table 19, Col 6, first six entries)—Substitute '0.5' for '0.8' at all the places (viii) (Page 42, Table 20 col 7, first four entries)—Substitute '0.5' for '0.8' at all places (ix) (Page 43, Table 21, col 7, first three entries) — Substitute '0.5' for '0.8' at all places (x) (Page 44, Table 22, Col 6, first four entries) — Substitute '0.5' for '0.8' at all places (xi) (Page 45, Table 23, col 6, first entry)—Substitute '0.5' for '0.8' (xii) (Page 11, clause 20.3, line 4)—Add the words 'of the nominal value' after the word 'percent'. (xiii) (Page 12, clause 21.3.2, line 3)—Add the words 'of the nominal value' after the word 'percent' (xiv) (Page 14, clause 24.3.2, line 3)—Add the words 'of the nominal value' after the word 'percent' (v) (Page 30, Table 7, Caption)—Add the word '(UNARMOURED)' between the word 'SINGLE-CORE, and 'SCREENED'	1 Dec 1974
10.	IS:816-1969 Code of Practice for use of metal arc welding for general construction in mild steel (first revision)	S.O. 1277 dated 27 May 1972	No. 2 Jan 1975	Fig 3C and 5B have been amended	1 Jan 1975
11.	IS : 930-1959 Specification for extension ladders for fire fighting purposes	S.O. 2834 dated 26 Dec 1959	No. 1 Dec 1974	(Page 1 and 2, Title)—Substitute the following for the existing title: 'Indian Standard' SPECIFICATION FOR WOODEN EXTENSION LADDERS FOR FIRE FIGHTING PURPOSES'	, Dec 1974
12.	IS: 10' 8-1973 Specification for copper naphthenate (first revision)		No. 1 Jan 1975	(Page 13, Table 3, col 6, against SI No. '—' '—' (ii)—Substitute X ₁ for X	1 Jan 1975
13.	IS: 1079-1973 Specification for hot rolled carbon steel sheet and strip (Third Revision)		No. 1 Dec 1974	(i) Tables 1 & 4 have been amended (ii) Clause 7.1 has been amended	1 Dec 1974
14.	IS: 1148-1973 Specification for hot rolled steel rivet bars (up to 40 mm (DIAMETER) for structural purposes (second revision)		No. 2 Jan 1975	(Page 7, clause 11.2.1, line 1)— Substitute '25 mm' for '35 mm.'	1 Jan 1975
15.	IS: 1223 (Pt I)—1970 Specification for apparatus for determination of milk fat by gerber method Part I Butyrometers and stooppers (first revision)	S.O. 1635 dated 8 Jul 1972	No. 2 Dec 1974	Table 2 has been amended	1 Dec 1974
16.	IS: 1431-1973 Specification for Cotton mosquito netting, round mesh (first revision)		No. 1 Jan 1975	(Page 5, Table 1, Col 6)—Substitute— '10:13 to 14' for '11:14 to 15'.	1 Jan 1975
17.	IS: 1507-1966 Specification for copper oxychloride water dispersible powder concentrates (first revision)	S.O. 1759 dated 20 May 1967	No. 5 Jan 1975	Table 1 has been amended	1 Jan 1975

1	2	3	4	5	6
18.	IS: 2171-1972 Specification for portable fire extinguishers, dry powder type (first revision)	S.O. 120 dated 13, Jan 1973	No. 1 Jan 1975	(i) Informal Tables of clauses 8.1.2 and 9.2 have been substituted by new ones (ii) Clauses 8.7.1, 8.8., 5.1 and 8.1.1 have been amended (iii) Informal Tables of clauses 9.3, 11.4 and 4.1 have been amended	1 Jan 1975
19.	IS: 2223-1971 Dimensions of Flange mounted as induction motors (first revision)	S.O. 1102 dated 28 Mar 1964	No. 2 Jan 1975	Tables 2 and 4 have been amended	1 Jan 1975
20.	IS: 2551-1963 Danger notice plates	S.O. 2297 dated 4 Jul 1964	No. 1 Jan 1975	(Page 3, clause 2.2, line 1)—Substitute '1.6 mm' for '2 mm'.	1 Jan 1975
21.	IS: 2597 (Pt I)—1964 Code of practice for the use of electron tubes Part I Commercial receiving tubes	S.O. 249 dated 21 Jan 1967	No. 2 Jan 1975	Clause 3.4-2.2 has been amended	1 Jan 1975
22.	IS: 2789-1972 Specification for special proofed pulings (tarpaulins) (first revision)	S.O. 1253 dated 24 Apr 1965	No. 1 Jan 1975	Clause 3.1.3 has been amended	1 Jan 1975
23.	IS: 2802-1964 Specification for ice-cream	S.O. 24 dated 21 Jan 1967	No. 2 Dec 1974	Clauses C-2.1 and C-3.1 have been amended	1 Dec 1974
24.	IS: 3508-1966 Method of sampling and test for ghee (butterfat)	S.O. 241 dated 21 Jan 1967	No. 4 Dec 1974	(i) Clause 22.1.4 has been substituted by a new one (ii) New clause 23 has been added after clause 22.3	1 Dec 1974
25.	IS: 3588-1966 Specification for electric axial flow fans	S.O. 241 dated 21 Jan 1967	No. 4 Dec 1974	(i) Equations of clauses 13.2.11 (b) and C—1 have been substituted by new ones (ii) A note has been added after clause 11.1	1 Dec 1974
26.	IS: 3700 (Pt IX)—1972 Essential ratings and characteristics for semiconductor devices Part IX variable capacitance diodes	S.O. 241 dated 21 Jan 1967	No. 1 Jan 1975	Table 2 has been amended	1 Jan 1975
27.	IS: 3743-1966 Specification for hair clippers (hand operated)	S.O. 1759 dated 20 May 1967	No. 2 Jan 1975	Clause 8.4 has been amended	1 Jan 1975
28.	IS: 3851-1968 Specification for dry salted catfish	S.O. 1759 dated 20 May 1967	No. 1 Jan 1975	(Page 4, clause 1.1.1, line 4)—Substitute 'Osteogenelosus sp' for 'Gseogenelosus sp'	1 Jan 1975
29.	IS: 3853-1966 Specification for dry salted horse mackerels (CARANX sp.)	S.O. 1759 dated 20 May 1967	No. 1 Dec 1974	Clause 1.1.1 and Table 1 have been amended	1 Dec 1974
30.	IS: 4030-1973 Specification for cold rolled carbon steel strip for general engineering purposes (first revision)	S.O. 4080 dated 18 Nov 1967	No. 1 Jan 1975	Tables 1 and 2 have been amended	1 Jan 1975
31.	IS: 4147-1967 Method of measurements on conventional receiving electron tubes	S.O. 287 dated 20 Jan 1968	No. 2 Dec 1974	New clauses 12 to 16 have been added after clause 11-2-3	1 Dec 1974
32.	IS: 4268-1967 Specification for air depolarized primary wet cells	S.O. 1455 dated 19 Apr 1969	No. 3 Dec 1974	(i) Table 2 has been substituted by a new one (ii) Page 10, caption of Fig. 1 (see also Amendment No. 2)—Substitute the following for the existing caption of the figure: 'FIG. 1 COVER FOR AWC2 CELLS' (iii) Page 11, Fig. 2 (see also Amendment No. 2—Substitute '40°' for '45°'	1 Dec 1974
33.	IS: 4894-1968 Specification for centrifugal fans	S.O. 2330 dated 14 June 1969	No. 2 Dec 1974	(i) Equations of clauses 12.2.11(b) and clause D-1 have been substituted by new ones (ii) New clause 11 has been added after clause 10.1 and the subsequent clauses re-numbered accordingly whenever they appeared in the standard	1 Dec 1974
34.	IS: 4929-1968 Specification for dichlorvos, technical	S.O. 3252 dated 3 Oct. 1970	No. 1 Dec 1974	[Page 4, Table 1, col 3 against Sl No. 1 Dec 1974 (iv)] -Substitute '1.0' for '0.1'. (i) Clauses 0.6, 4.0, 5.3 and 7.1 have been amended (ii) Clauses 4.2 and 5.1 have been substituted by new ones (iii) (Page 9, clause 5.1.1)—Delete	1 Dec 1974
35.	IS: 5298-1969 Method for determination of distillation range and of distillation yield	S.O. 3252 dated 3 Oct. 1970	No. 1 Jan. 1975		1 Jan. 1975

(1)	(2)	(3)	(4)	(5)	(6)
36. IS : 5612-1969 Specification for hose-clamps and hose-bandages for fire brigade use	S.O. 5032 dated 6 Nov. 1971	No. 1 Dec. 1974	(i) Clauses 2.4(b), 2.7, 3.2, 4.2.2, 4.2.3 and 4.3 have been amended (ii) (Page 4, clause 2.8)—Delete the clause and re-number '2.9' as 2.8. (iii) Page 4, foot-note marked with ii]—Delete (iv) (Page 6, Fig 2, caption)—Substitute the following for the existing caption : 'Fig 2 Rubberized Canvas 100 mm Wide Side Bounded by Nylon Binding'		1 Dec. 1974
37. IS : 5638-1970 Specification for acid oil (cottonseed and groundnut)	S.O. 5032 dated 6 Nov. 1971	No. 1 Jan. 1975	Table 1 and clause B-3.1.8 have been amended	1 Jan. 1975	
38. IS : 6199-1971 Specification for wattle extract	S.O. 2802 dated 29 Sep 1973	No. 1 Jan 1975	[Page 5, Table 1, Col 2, against Sl No. 1 Jan 1975 (iii)]—Substituted 'Min' for 'Max'	1 Jan 1975	
39. IS : 6200-1971 Statistical tests of significance	S.O. 3055 dated 27 Oct, 1973	No. 1 Dec 1974	Table 5.3.4 has been amended		1 Dec 1974
40. IS : 6305—(Part II)—1972 Safety code for powered industrial trucks Part II Manufacture		No. 1 Jan. 1975	(Page— 12, clause 5.6, last line)—Substitute 'extent' for 'extend'		1 Jan 1975
41. IS : 6901-1973 Specification for pressure regulators for gas cylinders used in welding, cutting and related processes		No. 1 Jan. 1975	(Page 8, Table 1, headings of col 3 and 5)—Substitute 'kgf/cm ² ' for 'kgf/mm ² '.		1 Jan 1975
42. IS : 7146 (Pt I)—1973 Method of measurements on photosensitive devices Part I Basic considerations		No. 1 Jan. 1975	(Page 5, Fig. 1)—Delete the word 'PISTE'		1 Jan 1975

Copies to these amendments are available with the Indian Standards Institution, 9 Bahadur Shah Zafar Marg, New Delhi 110001 and also its branch offices at Ahmedabad, Bangalore, Bombay, Calcutta, Chandigarh, Hyderabad, Madras and Patna.

[No. CMD/13 : 5]

का०दा० 685.—सत्कालीन उद्योग मंत्रालय (भारतीय मानक संस्था) प्रधिसूचना संख्या एस नं० 1950 विनांक 22 मई 1964 जिसके ब्यौरे भारत के राजपत्र भाग II खण्ड 3, उपखण्ड (II) विनांक 6 जून 1964 में छापे थे, को प्रधिकृत करते हुए भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि ताम्र प्राक्सीक्लोराइड धूलन पाउडर की मुहराकन फीस का पुनरीक्षण किया गया है। यह पुनरीक्षित फीस जिसके ब्यौरे नीचे अनुकूली में दिए गए हैं, सितम्बर 1975 से लागू होगी :

मनुसूची

क्रम सं०	उत्पाद/उत्पाद की पाउडर	ताम्र प्राक्सीक्लोराइड धूलन पाउडर की विशिष्टि	ताम्र प्राक्सीक्लोराइड धूलन पाउडर (पहला पुनरीक्षण)	इकाई	प्रति इकाई मुहराकन फीस
1.	ताम्र प्राक्सीक्लोराइड धूलन पाउडर	IS : 1506-1967 ताम्र प्राक्सीक्लोराइड धूलन पाउडर	एक मीट्री टन	Rs. 3.00	

[संख्या सी एम जी/13 : 10]

S. O. 685.—In partial modification of the then Ministry of Industry (Indian Standards Institution) notification number S.O. 1950 dated 22 May 1964, published in the Gazette of India, Part-II, Section-3 Sub-section (ii) dated 6 June 1964, the Indian Standards Institution, hereby, notifies that the marking fee for copper oxychloride dusting powders has been revised. The revised rate of marking fee, details of which is given in the following schedule, shall come into force with effect from 1 Sep 1975.

SCHEDULE

Sl. No.	Product/Class of Products	No. and Title of relevant Indian Standards	Unit	Marking Fee per Unit
1	2	3	4	5
1.	Copper oxychloride dusting powders	IS : 1506-1967 Specification for Copper Oxychloride Dusting Powders (first Revision)	One Tonne	Rs. 3.00

[No. CMD/13 : 10]

क्रा०ग्रा० 686.—समय पर संशोधित भारतीय मानक संस्था (प्रभागन चिन्ह) विनियम 1953 के विनियम 8 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिन 30 लाइसेंसों के ब्यौरे नीचे अनुसूची में दिए गए हैं, लाइसेंसधारियों को मानक सम्बन्धी मुहर लगाने का अधिकार वेते हुए अगस्त 1974 में स्वीकृत किए गए हैं :

अनुसूची

क्रम संख्या	लाइसेंस संख्या (सी एम/एल)	वेदाना की व्रधि		लाइसेंसधारी का नाम और पता	लाइसेंस के अधीन वस्तु/प्रक्रिया और तस्मानी : पवनाम		
		से	तक			(1)	(2)
1. सी एम/एल-3905 5-8-1974		16-8-1974	15-8-1975	रैलिस इंडिया लि०, 20 हावड़ा रोड, सलियां, हावड़ा-6।	कैनीद्रायियोन पायसमीय तेजव्रव-- IS: 5281-1968		
2. सी एम/एल-3906 5-8-1974		16-8-1974	15-8-1975	पंजाब साल्टपेट्रे रिफाइनरी लि०, हैंडिन्ड्रियल इस्टेट, फिरोजपुर शहर।	एन्ड्रिन पायसमीय तेजव्रव, 20 प्रतिशत-- IS: 1310-1958		
3. सी एम/एल-3907 5-8-1974		16-8-1974	15-8-1975	पेरसोनाइट्स इंडिया, उदयपालर रोड, उदयपुर।	एल्ब्रिन धूसन पाउडर-- IS: 1308-1958		
4. सी एम/एल-3908 5-8-1974		16-8-1974	15-8-1975	पौचम्पद पैस्टीसाइडल प्रा० लि०, करीमनगर, हैंडिन्ड्रियल इस्टेट, सिरीसिला रोड, करीमनगर (उ०प्र०)।	बी एच सी धूला पाउडर-- IS: 561-1972		
5. सी एम/एल-3909 5-8-1974		16-8-1974	15-8-1975	लेवरन इंस्ट्रूमेंट्स प्रा०लि०, 138/जी, पिकनिक गार्डन रोड, कलकत्ता-19।	चूम्बकीय लेशन हिच रेटिंग I अम्मी तक, 440 बोल्ट, युप II वी के ज्वालासह खेल-- IS: 2148-1968		
6. सी एम/एल-3910 5-8-1974		16-8-1974	15-8-1975	ईस्टर्निया इंडस्ट्रीज (मद्रास) प्रा०लि०, स० 214, तिमोतियर हाई रोड, ट्रैडिंग्सेट, मद्रास-600081।	जलसह और नम्ब सह बनाने के लिए विट यूमेनी नमदे टाइप 3, केबल ग्रेड IS: 1322-1970		
7. सी एम/एल-3911 5-8-1974		1-8-1974	31-7-1975	दि. प्रिनियचर वल्व इंडस्ट्रीज (इंडिया) प्रा० लि०, 131, कंवाली रोड, देहरादून (उ०प्र०)।	खनिकों की टोपी वत्तियों के बाल्व (लैम्प्स), 4 बो, 0.80 अम्मी, अर्गेन गैस से भरे-- IS: 2596-1964		
8. सी एम/एल-3912 5-8-1974		1-8-1974	31-7-1975	कनोरिया जूट मिल्स, सिजबेरिया, उल्केरिया, जिला हावड़ा।	भारतीय पटसन, 305, 229, 213 और 270 या/सी ² 16 प्रतिशत प्रव्र प्राप्ति निवाप पर-- IS: 2818 (भाग 1 और 2)-- 1971		
9. सी एम/एल-3913 5-8-1974		1-8-1974	31-7-1975	“	ए-टिवल पटसन बोरे-- IS: 1943-1964		
10. सी एम/एल-3914 5-8-1974		16-8-1974	15-8-1975	ग्लैकेमि इंडस्ट्रीज प्रा० लि०, अशोक नगर प्रा० रोड स० 1, कांडीवली (पूर्व) बम्बई-40001	मालायियोन धूलन पाउडर-- IS: 2568-1967		
11. सी एम/एल-3915 5-8-1974		16-8-1974	15-8-1975	वेराहटी ब्रुग बर्सें, 21, कनाई धर लेन, कलकत्ता-12	रंगरोगन और बारिंग करने के बपटे ब्रुग साइज 60 मि० मी०-- IS: 384-1971		
12. सी एम/एल-3916 5-8-1974		16-8-1974	15-8-1975	रैलिस इंडिया लि०, 20 हावड़ा रोड, सलियां, हावड़ा-6	ब्लॉरोडॉन पायसमीय तेजव्रव-- IS: 2682-1966		
13. सी एम/एल-3917 7-8-1974		16-8-1974	15-8-1975	कृषिकेमिन प्रा० लि०, सारकी, जयनगर (कर्किण) बंगलौर-41	बी एच सी धूलन पाउडर-- IS: 561-1962		
14. सी एम/एल-3918 7-8-1974		16-8-1974	15-8-1975	कृषिकेमिन प्रा० लि०, सारकी, जयनगर (कर्किण) बंगलौर-41	मालायियोन धूलन पाउडर-- IS: 2568-1963		

(1)	(2)	(3)	(4)	(5)	(6)
15. सी एम/एल-3919 8-8-1974	16-8-1974	15-8-1975	प्रताप स्टील रोलिंग मिल्स (प्रा) लि०, 21/3, मधुरा रोड, बलभगड़ (हरियाणा)	स्वचल निलम्बन के पांचनुमा कुण्डलीदार दधा परत वाले स्प्रिंग के लिये इस्पात	IS : 3431-1965
16. सी एम/एल-3920 9-8-1974	16-8-1974	15-8-1975	गर्वनमेंट सीप फैक्टरी, राजाजी नगर, इंडस्ट्रियल सर्कंब, बंगलोर-560055	जहागर साकृत	IS : 2888-1964
17. सी एम/एल-3921 9-8-1974	16-8-1974	15-8-1975	आरती मिनिरल्स, 15/7, मधुरा रोड, फरीदाबाद (हरियाणा)	ची डी टी पायसनीय तेजदब्द--	IS : 633-1956
18. सी एम/एल-3922 9-8-1474	16-8-1974	15-8-1975	कृषि केमिन प्रा० लि०, सारकी, जयनगर (वक्षिण) बंगलोर 41	मानाधियोन पायसनीय तेजदब्द--	IS : 2567-1963
19. सी एम/एल-3923 9-8-1974	16-8-1974	15-8-1975	बर्मी-योल आयन स्टोरेज एण्ड इंस्ट्रियल्स, फौर्ट रोड, सेवरी-बन्धू-400001	एन्ड्रिन पायसनीय तेजदब्द (पुनः भराई)	IS : 1310-1958
20. सी एम/एल-3924 12-8-1974	16-8-1974	15-8-1975	सेंट्रल पेंट कल्पनी प्रा० लि०, 110, इंडस्ट्रियल इस्टेट, इंडोर (म० प्र०)	बांधित रंग देने का युक्त डिस्ट्रेपर	IS : 427-1965
21. सी एम/एल-3925 13-8-1974	1-9-1974	31-8-1975	प्रश्न प्लाईवुड इंडस्ट्रीज, बहराइच रोड, गोडा (उ० प्र०)	चाय की पैटियों के लिये भातु के फिटिंग	IS : 10-1970
22. सी एम/एल-3926 19-8-1974	16-8-1974	15-8-1975	कृप्स इंटरनेशनल 4, गुरुद्वारा बाला-सर्हिं रोड, जीवन नगर, नई दिल्ली-14	टोप --	IS : 4159-1968
23. सी एम/एल-3927 20-8-1974	1-9-1974	31-8-1975	एवरेस्ट प्लाईवुड इंडस्ट्रीज (छोटाळगंगन), चाय की पैटियों के लिये प्लाईवुड के डाकधर महुम जकंशन, जिला डिब्रू-गढ़ (असम)	तले --	IS : 10-1970
24. सी एम/एल-3928 20-8-1974	16-8-1974	15-8-1975	कृषिकेमिन प्रा० लि०, सारकी, जयनगर (वक्षिण), बंगलोर-14	एन्ड्रिन पायसनीय तेजदब्द --	IS : 1310-1958
25. सी एम/एल-3929 20-8-1974	1-9-1974	31-8-1975	आरती मिनिरल्स, 15/7, मधुरा रोड, फरीदाबाद (हरियाणा)	एन्ड्रिन पायसनीय तेजदब्द --	IS : 1307-1958
26. सी एम/एल-3930 20-8-1974	16-8-1974	15-8-1975	हुकमचंद जूट मिल्स लि०, डाकधर मोदी-नगर, नई हाटी, 24-परगना (प० बंगल) (कार्यालय: 15 इंडियन एक्सचेंज प्लेस कलकत्ता)	भारतीय पटसन, 309 और 229 ग्रा/मी ² 16 प्रतिशत ग्रवप्राप्ति मिलिया पर --	IS : 2818 (भाग 2)-1971
27. सी एम/एल-3931 22-8-1974	1-9-1974	31-8-1975	पायोफलेस्स इंडस्ट्रीज, सं० 11, सिद्धपुर इंडस्ट्रियल इस्टेट एक्सटेंशन बिल्डिंग, दूसरी मंजिल, एस० वी रोड, गोर-गाव पश्चिम, बन्धू-62	पी वी सी रोधित केबल, खोल वाले और बिना खोल वाले, 250-440 शोट ग्रेड एलुमिनियम चालकों वाले --	IS : 694 (भाग 2)-1964
28. सी एम/एल-3932 23-8-1974	1-9-1974	31-8-1975	एस० वी० इंडस्ट्रीज, 53-ए, कोओपरेटिव इंडस्ट्रियल इस्टेट, उदयोग नगर, कानपुर-22 (उ० प्र०)	पूर्ण एलुमिनियम चालक और इस्पात कोर वाले एलुमिनियम चालक --	IS : 398--1961
29. सी एम/एल-3933 23-8-1974	1-9-1974	31-8-1975	यूनियन कार्बाइड इंडिया लि०, बेनासिया रोड, भोपाल (म० प्र०) ।	कार्बाइड धूलन पाउडर--	IS : 7122-1973
30. सी एम/एल-3934 23-8-1974	1-9-1974	31-8-1975		कार्बाइड जल विसर्जनीय तेज चूर्ण--	IS : 7121--1973

[सं० सी० एम० भी०/13/11]

१० वी० राव, उप महानिदेशक ।

S.O. 686.—In pursuance of sub-regulation (1) of Regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, the Indian Standards Institution, hereby, notifies that thirty licences, particulars of which are given in the following Schedule, have been granted during the month of August 1974 authorizing the licensees to use the Standard Marks :

SCHEDULE

Sl. No.	Licence No. (CM/L.)	Period of From	Validity to	Name and Address of the Licensee	Article/Process Covered by the Licences and the Relevant IS : Designation
(1)	(2)	(3)	(4)	(5)	(6)
1.	CM/L-3905 5-8-1974	16-8-1974	15-8-1975	Rallis India Limited, 20 Howrah Road, Salkia, Howrah-6	Fentitrothion emulsifiable concentrates IS : 5281-1968
2.	CM/L-3906 5-8-1974	16-8-1974	15-8-1975	Punjab Saltpotre Refinery Ltd, Industrial Estate, Ferozepur City	Endrin emulsifiable concentrates, 20%— IS : 1310-1958
3.	CM/L-3907 5-8-1974	16-8-1974	15-8-1975	Pesticides India, Udaisagar Road, Udaipur	Aldrin dusting powder— IS : 1308-1958
4.	CM/L-3908 5-8-1974	16-8-1974	15-8-1975	Pochampad Pesticides Pvt. Ltd., Karimnagar, Industrial Estate, Siricilla Road, Karimnagar (U.P.)	BHC dusting powders— IS : 561-1972
5.	CM/L-3909 5-8-1974	16-8-1974	15-8-1975	Levcon Instruments Pvt Ltd, 138/G, Picnic Garden Road, Calcutta-19	Flame proof enclosures for magnetic level switches, rating upto 1 amp, 440 volts, Group II B— IS : 2148-1968
6.	CM/L-3910 5-8-1974	16-8-1974	15-8-1975	East India Industries (Madras) Pvt Ltd., No. 214, Tiruvottiyur High Road Madras-600081	Bitumen felts for water proofing and dam-proofing type 3, Grade 1 only— IS : 1322-1970
7.	CM/L-3911 5-8-1974	1-8-1974	31-7-1975	The Miniature Bulb Industries (India) Pvt Ltd, 131 Kanwali Road, Dehra Dun (U.P.)	Bulbs (lamps) for miner's cap-lamps 4V, 0.80 Amp. argon gas filled— IS : 2596-1964
8.	CM/L-3912 5-8-1974	1-8-1974	31-7-1975	Kanoria Jute Mills, Sijberia, Ubaria, Distt, Howrah	Indian hessian 305, 229, 213 and 270 g/m ² at 16 percent contract regain IS : 2818 (Part I & II)-1971
9.	CM/L-3913 5-8-1974	1-8-1974	31-7-1975	Do.	A-twill jute bags— IS : 1943-1964
10.	CM/L-3914 5-8-1974	16-8-1974	15-8-1975	New Chemi Industries Pvt Ltd, Ashok Nagar, Cross Road No. 1, Kandivli (East), Bombay-400001	Malathion DP— IS : 2568-1967
11.	CM/L-3915 5-8-1974	16-8-1974	15-8-1975	Variety Brush Works, 21 Kanai Dhar Lane, Calcutta-12	Brushes, paints and varnishes, flat size 60 mm— IS : 384-1971
12.	CM/L-3916 5-8-1974	16-8-1974	15-8-1975	Rallis India Ltd, 20 Howrah Road, Salkia, Honah-6	Chlordane emulsifiable concentrates— IS : 2682-1966
13.	CM/L-3917 7-8-1974	16-8-1974	15-8-1975	Krishichemin Pvt Ltd, Sarakki, Jayanagar (South), Bangalore-41	BHC dusting powders— IS : 561-1962
14.	CM/L-3918 7-8-1974	16-8-1974	15-8-1975	Do.	Malathion dusting powders— IS : 2568-1963
15.	CM/L-3919 8-8-1974	16-8-1974	15-8-1975	Partap Steel Rolling Mills (Pvt) Ltd, 21/3 Mathura Road, Ballabhgarh (Haryana)	Steel for volute helical and laminated spring for automotive suspension— IS : 3431-1965
16.	CM/L-3920 9-8-1974	16-8-1974	15-8-1975	Government Soap Factory, Rajajinagar, Industrial Suburb, Bangalore-560055	Toilet soaps— IS : 2888-1964
17.	CM/L-3921 9-8-1974	16-8-1974	15-8-1975	Artee Minerals, 15/7 Mathura Road, Faridabad (Haryana)	DDT emulsifiable concentrates— IS : 633-1956
18.	CM/L-3922 9-8-1974	16-8-1974	15-8-1975	Krishichemin Pvt Ltd, Sarakki, Jayanagar (South) Bangalore-41	Malathion emulsifiable concentrates— IS : 2567-1963
19.	CM/L-3923 9-8-1974	16-8-1974	15-8-1975	Burmah-Shell Oil Storage and Distributing Co. of India Ltd, Burmah-Shell Installations, Fort Road, Sewree, Bombay-400001	Endrin EC (Repacking)— IS : 1310-1958
20.	CM/L-3924 12-8-1974	16-8-1974	15-8-1975	Central Paint Co. Pvt. Ltd, 110 Industrial Estate, Indore (M.P.)	Distemper, dry, colour as required— IS : 427-1965
21.	CM/L-3925 13-8-1974	1-9-1974	31-8-1975	Avadh Plywood Industries, Bahrach Road, Gonda (U.P.)	Tea-chest metal fittings— IS : 10-1970
22.	CM/L-3926 19-8-1974	16-8-1974	15-8-1975	Kraps International, 4 Gurdwara Bala Sahib Road, Jeevan Nagar, New Delhi-14	Helmets— IS : 4159-1968
23.	CM/L-3927 20-8-1974	1-9-1974	31-8-1975	Everest Plywood Industries (Chottachapjan) P.O. Mahum Junction, Distt. Dibrugarh, (Assam).	Tea-chest plywood panels— IS : 10-1970

(1)	(2)	(3)	(4)	(5)	(6)
24. CM/L-3928 20-8-1974	16-8-1974	15-8-1975	Krishichemin Pvt. Ltd., Sarakki, Jayanagar (South) Bangalore-14	Endrin emulsifiable concentrates— IS : 1310-1958.	
25. CM/L-3929 20-8-1974	1-9-1974	31-8-1975	Artee Minerals, 15/7 Mathura Road, Faridabad (Haryana)	Aldrin emulsifiable concentrates— IS : 1307-1958	
26. CM/L-3930 20-8-1974	16-8-1974	15-8-1975	Hukumchand Jute Mills Ltd., P. O. Modinagar, Naibhati, 24 Paraganals (W.B.) (Office : 15 Indian Exchange Place, Calcutta-1)	Indian hessian, 305 and 229 g/m ² at 16 per cent contract regain— IS : 2818 (Part II)—1971	
27. CM/L-3931 22-8-1974	1-9-1974	31-8-1975	Pyroflex Industries, No. 11 Sidhpura Industrial Estate Extension Building, 2nd Floor, S.V. Road, Goregaon West, Bombay-62	PVC insulated cables, sheathed and unsheathed 250/440 volts grade with aluminium conductors— IS : 694 (Part II)—1964	
28. CM/L-3932 23-8-1974	1-9-1974	31-8-1975	S.P. Industries, 53-A Co-operative Industrial Estate, Udyog Nagar Kanpur-22 (U.P.)	All aluminium and ACSR conductors IS : 398-1961	
29. CM/L-3933 23-8-1974	1-9-1974	31-8-1975	Union Carbide India Ltd., Benasia Road, Bhopal (M.P.)	Carbaryl dusting powders— IS : 7122-1973	
30. CM/L-3934 23-8-1974	1-9-1974	31-8-1975	Do.	Carbaryl water dispersible powder concentrates— IS : 7121-1973	

[No. CMD/13 : 11]

A. B. RAO, Dy. Dir. Gen.

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई विली, 4 जनवरी, 1976

का० ग्रा० 687.—केन्द्रीय सरकार स्वास्थ्य योजना (मद्रास) नियमावली, 1975 के नियम 1 के उपनियम (3) के अनुसरण में सभा स्वास्थ्य और परिवार नियोजन मंत्रालय, भारत सरकार के 24 मार्च, 1975 की अधिसूचना संख्या एस० ग्रो० 1964 का प्रधिक्रमण करते हुए केन्द्रीय सरकार एनद्वारा उक्त नियमावली को मद्रास के निम्नलिखित धोनों में भी 1 विषयवाच, 1975 से सार्व करती है, पर्याप्त :—

1. टी० नगर डिस्ट्रिक्ट

उत्तर में ग्रामीं गोडर रोड और क्रकाणि स्ट्रीट-बासूदेवपुरम् के संगम से चलकर रेलवे-लाइन तक, फिर वहां से विशिष्ट की ओर रेलवे लाइन से साथ-साथ वहां तक आगे बढ़िए वहां इसका संगम दोराप्रस्थमी रोड से होता है, फिर वहां से पूर्व की ओर दोराप्रस्थमी रोड-प्रकाशम रोड, सर थैगराय रोड के साथ-साथ आगे बढ़ें माउन्ट रोड को पार कर आगे एस्टन्स रोड के साथ साथ वहां तक आगे बढ़िए जहां इसका संगम माउन्ट रोड से होता है, इसके बावजूद विशिष्ट की ओर माउन्ट रोड-माउन्ट गार्डन 21 के साथ साथ वहां तक आगे बढ़िए जहां थोट कलव एन्डन्यू पर अड्यार नदी से इसका संगम होता है, फिर परिवर्त्म की ओर अड्यार नदी के साथ-साथ वहां तक बढ़िए जहां इसका संगम अमेप्स रोड के साथ होता है, फिर वहां से पूर्व की ओर जोन्स रोड के साथ-साथ वहां तक बढ़िए जहां इसका संगम कोडम्बकम रोड वेस्ट के साथ होता है, फिर वहां से उत्तर की ओर कोडम्बकम रोड वेस्ट-कवरराय स्ट्रीट ग्रामीं गोडर रोड के साथ साथ वहां तक आगे बढ़े जहां से चलें थे।

2. नगमध्यक्षम डिस्ट्रिक्ट (ग्रोल्ड एन्डपुरम् डिस्ट्रिक्ट)

उत्तर में नेल्सन मानिक मुद्रालियर रोड और पूनामली हाई रोड के संगम से चलकर पूर्व की ओर पूनामली हाई रोड के साथ साथ वहां तक आगे बढ़िए जहां मेक निकल्सन रोड से इसका संगम होता है, फिर वहां से विशिष्ट की ओर मेक निकल्सन रोड के साथ साथ वहां तक आगे बढ़िए जहां इसका संगम कूयम नदी से होता है, फिर वहां से नदी के विशिष्ट की ओर ग्रीम रोड तक चलिए, फिर वहां से विशिष्ट की ओर ग्रीम रोड के साथ-साथ वहां तक बढ़िए जहां इसका

संगम माउन्ट रोड से होता है, माउन्ट रोड पर वहां तक चलिए जहां इसका संगम भी विधाराय रोड से होता है, फिर वहां से परिवर्त्म की ओर भी विधाराय रोड-प्रकाशम रोड-वौराय स्नामी रोड के साथ साथ वहां तक चलिए जहां इसका संगम रेलवे लाइन से होता है, फिर वहां से उत्तर की ओर रेलवे लाइन के साथ साथ वहां तक बढ़े जहां इसका कोडम्बकम हाई रोड से संगम होता है, फिर वहां से परिवर्त्म की ओर कोडम्बकम हाई रोड से-प्रकौस रोड के साथ-साथ वहां तक बढ़े जहां इसका संगम सिवान कायल स्ट्रीट से होता है, फिर उत्तर की ओर सिवान कायल स्ट्रीट बहुवीश्वर कायल कास स्ट्रीट के साथ साथ वहां तक बढ़े जहां इसका संगम नेल्सन मानिक मुद्रालियर रोड से होता है, फिर वहां से इस सड़क पर आगे उस स्थान तक बढ़े जहां से पहले चले थे।

3. ट्रिल्लीकेन डिस्ट्रिक्ट

उत्तर में साउथ बीच रोड के बावर मेमोरियल से चलकर पूर्व परिवर्त्म की ओर कूयम नदी के साथ-साथ चलें, फिर परिवर्त्म की ओर कूयम नदी के साथ-साथ चलकर पैथन रोड पर पहुंचे और वहां तक आगे बढ़े जहां इसका दोबारा कूयम नदी से संगम होता है, फिर वहां से दक्षिण की ओर कूयम नदी के साथ-साथ चलें और ग्रीम रोड प्रवेश कर थाउजेंड लाइट्स भास्क का चलकर लगाते हुए पीटर्स रोड बंसल रोड के साथ साथ वहां तक आगे बढ़े जहां इसका साउथ बीच रोड के साथ संगम होता है, इसके बाद उत्तर की ओर सी कोस्ट के साथ-साथ बावर मेमोरियल तक चलें।

स्पष्टीकरण संबंधी जापन

चूंकि इस मामले की प्रक्रिया के संबंध में समय लग गया था: वर्तमान डिस्ट्रिक्टों के लोनों का विस्तार करने के लिए अधिसूचना पहले जारी नहीं की जा सकी। यह भी प्रमाणित किया जाता है कि प्रस्तावित अधिसूचना को पूर्वव्याप्ति से जारी करने के कारण किसी भी व्यक्ति के हित की ओर नहीं होगी।

[सं० एस० 11011/1/75-सी० जी० एच०एस०]

वी० रामाचन्द्रन, अधिकारी

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

New Delhi, the 1st January, 1976

S.O. 687.—In pursuance of sub-rule (3) of rule 1 of the Central Government Health Scheme (Madras) Rules, 1975 and in supersession of the notification of the Government of India in the Ministry of Health and Family Planning No. S.O. 1764 dated the 24th March, 1975, the Central Government hereby extends the said rules with effect from 1st December, 1975 to the following areas in Madras, namely :—

1. T. Nagar Dispensary

On the north, starting from the function of Arya Gowder Road and Chakrapani Street-Vasudevapuram to the Railway line, proceed South along the Railway line to its junction with Doraiswamy Road, proceed East along Doraiswamy Road-Prakasam Road, Sri Thaigaraya Road, crossing Mount Road proceed along Eldams Road upto its junction with Mowbrays Road, then proceed South along Mowbrays Road-Mowbrays Garden II Street to its junction with Adyar River at Boat Club Avenue, proceed West along the Adyar River upto its junction with Jones Road, proceed East along Jones Road upto its junction with Kodambakkam Road West, proceed North along Modambakkam Road West—Kavarai Street Arya Gowder Road to reach the starting point.

2. Numgambakkam Dispensary (Old Atreyapuram Dispensary)

On the North. Starting from the junction of Nelson Manicka Mudaliar Road with Poonamallee High Road, proceed east along Poonamallee High Road upto its junction with Mc' Nichols Road, proceed south along Mc' Nichols Road upto its junction with Cooum River, proceed east along the Southern Bank of the river to enter Greams Road, proceed south along Greams Road upto its junction with Mount Road, continue on Mount Road upto its junction with Sri Thaigaraya Road, proceed west along Thaigaraya Road—Prakasan Road—Doraiswamy Road upto its junction with the Railway line, proceed North along the Railway line upto its junction with Kodambakkam High Road, proceed West along Kodambakkam High Road—Arcot Road upto its junction with Sivan Koil Street, proceed north along Sivan Koil Street-Bahadeeswarar Koil Cross Street upto its junction with Nelson Manicka Mudaliar Road, proceed along the road to reach the starting point.

3. Triplicane Dispensary :—

On the North, starting from the War Memorial in South Beach Road, proceed North-West along the Cooum River, then West along the Cooum River enter Pantheon Road and proceed upto its junction with Cooum River again, proceed South along the Cooum River and enter Greams Road goround thousand Lights Mosque and proceed along Peters Road Besant Road upto its junction with South Beach Road, then proceed North along Sea coast upto War Memorial.

EXPLANATORY MEMORANDUM

The notification for the enlargement of the areas of the existing dispensaries could not be issued earlier, as the processing of the case took time. It is further certified that the proposed notification with retrospective effect will not adversely affect any-body's interest.

[No. S. 11011/1/75-CGHS.]

V. RAMACHANDRAN, Under Secy.

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 21st January, 1976

S.O. 688.—Whereas certain draft scheme to amend the Kandla Dock Workers (Regulation of Employment) Scheme, 1969 was published as required by sub-section (1) of section of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) at pages 1716-17 of the Gazette of India, Part II, Section 3, sub-section (ii), dated the 3rd May, 1975 under the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing), No. S.O. 1397, dated the 16th April, 1975 inviting objections and suggestions

from all persons likely to be affected thereby, till the expiry of a period of two months from the date of publication of the said notification in the official Gazette.

And whereas the said Gazette was made available to the public on the 19th May, 1975.

And whereas no objections and suggestions have been received from the public on the said draft by the Central Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme to amend the Kandla Dock Workers (Regulation of Employment) Scheme, 1969 namely :—

1. Short title and commencement (1) This Scheme may be called the Kandla Dock Workers (Regulation of Employment) Amendment Scheme, 1976.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Kandla Dock Workers (Regulation of Employment) Scheme, 1969, in item (c) of sub-clause (1) of clause 16, for the words "and in case", the words "and in no case" shall be substituted.

[No. 57/4/74-P&D/LD]

V. SANKARALINGAM, Under Secy.

संचार मंत्रालय

(आकाश बोर्ड)

नई दिल्ली, 2 फरवरी, 1976

का० प्रा० 689.—स्थायी आवेदा संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लाए किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार आकाश र महानियेशक ने मध्यनपल्ली टेलीफोन केन्द्र में विनांक 1-3-76 से प्रमाणित दर प्रणाली सारू करने का निश्चय किया है।

[संख्या 5-9/76 फी० एच० भी०]

पी० सी० गुप्ता, सहायक महानियेशक (पी० एच० भी०)

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 2nd February, 1976.

S.O. 689.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1-3-76 as the date on which the Measured Rate System will be introduced in Madanpalle Telephone Exchange, Andhra Circle.

[No. 5-9/76-PHB.]

P. C. GUPTA, Asst. Director General (PHB)

अम मंत्रालय

आवेदा

नई दिल्ली, 22 अक्टूबर 1975

का० प्रा० 690.—केन्द्रीय सरकार की राय है कि इससे उपायदृ अमुसूची में विनिर्दिष्ट विषयों के बारे में से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रौथोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्विवादित करना चाहिये समझती है;

अतः, ग्रब, ग्रौथोगिक विवाद, प्रधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की अपधारा (1) के खंड (प) धारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक ग्रौथोगिक

प्रधिकरण गठित करती है, जिसके पीठासीन प्रधिकारी श्री कें० एन० श्रीवास्तव होंगे जिनका मुख्यालय कानपुर में होगा और उक्त विवाद को उक्त श्रौद्धोगिक प्रधिकरण को न्यायनिर्णयन के लिए निर्वैशित करती है।

अनुसूची

यह बैंक श्राफ इंडिया लग्ननक बोर्ड के प्रबंधनतंत्र का श्री सुरेन्द्र कुमार वर्मा, अस्थायी सिपिक की सेवाएं 18 मार्च, 1975 से समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं तो उक्त कर्मकार किस अनुत्तोष का हकदार है?

[सं० एल-12012/110/75-डी-2/ए]

MINISTRY OF LABOUR

ORDER

New Delhi, the 22nd October, 1975

S.O. 690.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bank of India and their workman in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. N. Srivastava shall be the Presiding Officer, with headquarters at Kanpur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Is the management of the Bank of India, Lucknow Region, justified in terminating the services of Shri Surender Kumar Verma, temporary Clerk, with effect from the 18th March, 1975? If not, to what relief is the said workman entitled?

[No. L. 12012/110/75/DII/A]

आदेश

नई विल्सनी, 21 नवम्बर, 1975

का० आ० 691.—केन्द्रीय सरकार की राय है कि इससे उपायद्र अनुसूची में विनियिष्ट विषयों के बारे में भारतीय स्टेट बैंक से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रौद्धोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्वैशित करना चाहनीय समझती है;

मत, श्राव, श्रौद्धोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खंड (४) धारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक श्रौद्धोगिक प्रधिकरण गठित करती है, जिसके पीठासीन प्रधिकारी श्री एच० आर० सोंधी होंगे जिनका मुख्यालय चण्डीगढ़ में होगा और उक्त विवाद को उक्त श्रौद्धोगिक प्रधिकरण को न्यायनिर्णयन के लिए निर्वैशित करती है।

अनुसूची

यह भारतीय स्टेट बैंक, व्हेस्ट-5, नई विल्सनी के प्रबन्धनतंत्र को, उक्त बैंक की माउल टाउन करनाल शाखा के श्री देव प्रकाश, रक्कक की सेवाएं 20 अप्रैल, 1974 से समाप्त करते की कार्रवाई विधिपूर्ण और न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुत्तोष का हकदार है?

[सं० एल-12012/88/75-डी-2/ए०]

ORDER

New Delhi, the 21st November, 1975

S.O. 691.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the State Bank of India and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri H. R. Sodhi shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of the State Bank of India, Region V, New Delhi in terminating the services of Shri Dev Prakash, Guard, at the Medel Town Karnal Branch of the said Bank with effect from the 20th April 1974, is legal and justified? If not, to what relief is the said workmen entitled?

[No. L. 12012/88/75/DII/A]

New Delhi, the 28th January, 1976

S.O. 692.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Life Insurance Corporation of India, Bombay and their workmen, which was received by the Central Government on the 20th January 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

Reference No. CGIT-19 of 1975

PARTIES :

Employers in relation to the Life Insurance Corporation of India, Bombay.

AND

Their Workmen

APPEARANCES :

For the employers—Shri A. W. Dharwadkar, Dy. Secretary (Personnel), and Shri Y. Ramachandran, Administrative Officer, (P).

For the workmen :—Shri Ratnaparkha Vasant Sitaram, Association representatives.

Shri V.B. Kathuria, General Secy., Insurance Cor. Employees' Union, Bombay.

Shri D.K. Sawant, Joint Secretary Insurance Cor. Employees' Union, Bombay.

Shri A. S. Deo, General Secretary Insurance Employees' Association, Bombay.

Shri M. B. Soparivala, President, Insurance Employees Association, Bombay.

Shri S. M. Dharap, Advocate Shri V.R. Deshpande, President, Bombay Division Insurance Workers' Organisation and Shri V.Y. Litlikar, Committee Member,

State : Maharashtra. INDUSTRY : Life Insurance.

JUDGMENT

The Govt. of India, Ministry of Labour, have by their order No. L. 17011/12/74/LRI dated 9th April, 1975, made in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the I.D. Act, 1947, referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Life Insurance Corporation of India, Bombay and their workmen in respect of the subject matter specified in the following schedule:

SCHEDULE

"Whether the management of the Life Insurance Corporation of India is justified in denying special leave to all the employees who were residing in distant suburbs and hence could not attend their duties during the period of the Railway strike from the 8th May, 1974, to 27th May, 1974? If not, to what relief are they entitled?"

2. After the receipt of the order of reference, notices were issued to the parties to file their statements. The Insurance Employees Association has by its statement of claim submitted that the action of the Life Insurance Corporation of India in denying special leave to all employees who could not attend their duties during the period of the railway strike from 8th to 27th May, 1974 due to failure of railway service is unjust unfair and arbitrary as the situation created by the Railway strike was abnormal, special and extraordinary beyond the control of the employees which prevented these residing in Greater Bombay from attending to their duties in spite of their desire to do so. It is the Union's case that the employees have not intentionally or voluntarily absented themselves from work for their own reasons and in such a situation it is unjust to debit the days of absence to the leave account of the employees and according to the Association the present is a fit case for invoking Regulation No. 67(1) of the L.I.C.'s staff Regulations which provides that the "Chairman may at his absolute discretion grant special leave to any employee. Such leave shall not be debited to any leave account. The association has submitted that as a large section of L.I.C. employees reside in Greater Bombay in various cooperative housing societies and staff quarters at Santa Cruz, Andheri and Borivli on the Western Railway and at Mulund, Thana, Kalyan and even beyond Kalyan on the Central Railway the suburban trains are their sole means of convenient and cheap transport; that the L.I.C. did not offer any alternate transport arrangement during the Railway strike as was done by other employers. It is further submitted that the various kinds of leave granted to employees under LIC's conditions of service are meant to meet certain definite contingencies; that privilege leave is meant for rest and recuperation, casual leave is meant to cover absence caused by sudden and unforeseen difficulty and sick leave is meant to meet the contingency of sickness. According to the association the LIC has caused hardship to the employees by adjusting the period of absence caused by the failure of transport to the privilege/casual leave due or to become due to the employees concerned. The association has submitted that in the past the Corporation has treated the absence of employees due to dislocation of train services or similar reasons as special leave; that the Government of Maharashtra recognised the difficulties created by the Railway strike and granted special leave to their employees under certain stipulated conditions; According to the association the principle of 'no work no Pay' raised by the Corporation is not inviolate; that the absence of employees during the railway strike is due to circumstances wholly beyond the control of employees and as such demands special treatment of the grant of special casual leave. The association has also referred to press reports regarding the transport position during the strike period and has finally submitted that the Corporation should be

directed to grant special leave to all employees residing in the suburbs of Bombay for their absence during the period of the railway strike.

3. The Insurance Corporation Employees' Union has by its statement of claim stated that it is a well known fact that during the said strike the traffic position in Greater Bombay and its suburbs was extremely chaotic. It has submitted that during this period other employers like the State Bank of India, State of Maharashtra and even employers in private Sectors had made arrangements for transport of their employees but the LIC did not do so. It is asserted that every employee made an attempt to reach the office during the period of the railway strike except on the 15th May, 1974 when they went on strike in support of the railway strike. It is further submitted that the Maharashtra Government and the Post Master General, Bombay and issued instructions regarding the grant of special leave during the period of the railway strike. It is further submitted that the Corporation itself has in the past granted special leave in such circumstances as were beyond the control of their employees, and records of this would be available with the Corporation. According to the union the very essence of special leave is to cover circumstances when the employees are not able to attend their duties for reasons beyond their control and the railway strike was not of the making of the employees of the Corporation. According to the union this was a case where the Corporation itself should have decided to grant the special leave but it did not do so as the railway strike was obviously against the Central Government. Finally, it is submitted that the demand is just and it should be granted.

4. The Life Insurance Corporation has by its written statement submitted that under section 49 of the Life Insurance Corporation Act, 1956, it was authorized to make regulations regarding the terms and conditions of service of the employees as also the method of their recruitment. Accordingly, it is stated that the Corporation had made regulations known as the Life Insurance Corporation of India (Staff) Regulations, 1960 providing for terms and conditions of grant of leave allowable to its employees. Regulation 67 of the Staff Regulations lays down the provisions for grant of special leave as follows :—

"67(1) The Chairman may at his absolute discretion grant special leave to any employee. Such leave shall not be debited to any leave account.

2. The Chairman may also direct by instructions issued in this behalf that special leave may be granted to employees for (i) injury from accidents arising from and in the course of employment (ii) undergoing sterilising operations (iii) participating in tournaments or (iv) any other purpose whether of the same nature or not, specify the duration of leave for any purpose and the same conditions subject to which such leave may be granted and delegate the authority to any officer to grant such leave."

5. It is the case of the Corporation that the grant or denial of special leave is solely a matter of Discretion of the Chairman of the Corporation and except as delegated by him in the instances referred to in (2) above he alone can decide the circumstances in which special leave may be granted to any employee as the provisions of sub-regulation (i) of regulation 67 indicate. It is submitted that the grant of special leave thus being discretionary and within the sole competence of the Chairman of the Corporation this Tribunal will have no jurisdiction to issue any direction or order by way of an award or otherwise directing the Chairman to exercise his discretion and grant special leave to the workmen for the said period of the railway strike. It is further submitted that in C. A. No. 1879 of 1972 the Supreme Court has held that the regulations framed by the Corporation under section 49 of the LIC Act, 1956, have the force of law; that the terms and conditions of service of the workmen have been set forth in the Staff Regulations, 1960, and in so far as these regulations are statutory the Tribunal will have no jurisdiction to modify the said Regulation 67 by an award granting special leave in derogation to the absolute discretion vested in the Chairman of the Corporation. The Corporation has further submitted that in so far as this Tribunal grants the relief claimed by the workmen it will be legislating a new statute which is outside its competence and not contemplated by the provisions of the I.D. Act, 1947. For the same reasons the Corporation has submitted that the Government of India

were not competent to make the present reference under section 10 of the I.D. Act as to the vires or otherwise of the said Regulation which in effect is the issue before this Tribunal inasmuch as the grant of special leave is regulated by law as laid down in Regulation 67 of the (Staff) Regulations. Any relief which this Tribunal may grant to the workmen would contravene the statutory provisions in the matter.

6. Another submission made by the Corporation is that the reference is vague and uncertain inasmuch it does not define precisely the workmen concerned in the dispute as the words "all the employees who are resident in distant suburbs" are too imprecise to refer to any specific workman or a group of employees. It is, therefore, submitted that the reference is void and unsustainable. It is the case of the Corporation that the present reference is invalid inasmuch as the Government of India have failed to apply its mind and appreciate the facts and circumstances of the case as the vagueness and uncertainty of the reference indicate. It is further stated that the workmen concerned in the dispute were themselves on strike for one day i.e. 15th May, 1974 during the period covered by the reference in aid of the striking railwaymen and the strike of the railway workmen having been declared illegal any act in furtherance of the said illegal strike would itself be outside the pale of law and as such an issue beyond the competence of this Tribunal to adjudicate and accordingly the reference is bad in law and void.

7. In a rejoinder filed in reply to the statement of the claim of the Insurance Employees' Association it is stated by the Corporation that the railways are not the only means of transport used by the computing public of Bombay and therefore the dislocation of railway transport will not sustain the claim of the workmen. Further the State Government had pressed into service alternative modes of transport such as fleets of State Transport buses, augmentation of BEST services and increased passenger capacity in taxis. Further it is stated that a large number of employees ranging from 40 per cent to 70 per cent did attend the office even on the initial days of the strike. As regards the association's contention based on the decision of the Central Government and Maharashtra Government regarding the treatment of absence of their employees during the period of the railway strike it is stated that it is uncalled for and irrelevant. The comparison it is stated has no basis as the LIC employees enjoy more liberal and working hour facilities. The Corporation had also undertaken to reimburse the transport expenses incurred by the employees subject to a maximum of Rs. 2.50 per day throughout the period of the railway strike in order to mitigate their hardships; further the corporation had granted to the employees the leave available to them for their absence on any day during the railway strike and it is not open to the workmen to claim special leave for the said period. As regards the association's reference to grant of special leave in the past especially on 18th June, 1973, it is stated that the claim to grant special leave during the period of the railway strike would amount to treating an illegal strike on par with a completely unforeseen set of circumstances such as those prevailed on 18th June, 1973, which in any event was not declared illegal. It is submitted that the employees' failure to attend to their duties attracted the doctrine of frustration of contract and the employees are not entitled to the wages for the period for which they did not attend the office on the principle of "no work—no pay" and the reference to a case of lay-off is irrelevant and immaterial. In these circumstances it is finally submitted that the claim of the workmen is untenable and should be rejected.

8. The General Secretary, Bombay Division Insurance Workers' Organisation has submitted in a statement of claim inter-alia that 60 per cent of the employees of the LIC are staying at distant places and their attendance in the office mainly depends on conveyance by railways; that the suburban services of the Central and Western Railway were and are the biggest and only reliable from amongst the available modes of transport for majority of the workmen in Bombay of almost all industries including LIC. It is submitted that the places such as Andheri and all places beyond Andheri on the Western Railway, Thana and all stations on the Central Railway beyond Thana and such other places on Harbour Line are such where easy quick and convenient conveyance which is available and dependable is only railways. The Organisation has further submitted that the other arrangements of running more BEST and ST bus and the permission granted to public carriers

to transport workers was too inadequate to cope with the situation. Again the cost of travel was high with the result that some of the employees who were staying at distant places could not attend their offices between the 8th and 27th May, 1974. It is pointed out that the Government of Maharashtra had treated the absence of the employees during the period of the strike as special leave and had further directed that such special casual leave should not be debited to the casual leave account of the employees for the year 1974; that in the past the LIC itself had granted special leave. It is contended that the management's decision in this particular case to adjust the period of absence during the railway strike against leave due or becoming due is illegal, bad in law, uncalled for unwarranted arbitrary and unjustified, and it is prayed that the management may be directed to compensate such adjustment in terms of money on the basis of the monthly salaries drawn by the employees during the said period.

9. The Life Insurance Corporation then filed two rejoinders one in answer to the statement of claim of the Insurance Employees' Union and the other in reply to the Bombay Division Insurance Workers' Organisation, in which there is denial of the submissions made by the unions and a reiteration of the contentions advanced by the Corporation in their written statement.

10. Certain preliminary objections were taken by the employers the Life Insurance Corporation of India challenging the jurisdiction of this Tribunal to entertain the reference and therefore arguments were fully heard on the preliminary objections, of the representatives of the parties and I now proceed to determine the preliminary issues raised.

11. The first objection raised by representative of the Life Insurance Corporation of India is that section 49 of the Life Insurance Corporation Act, 1956, lays down that the Chairman may with the previous approval of the Central Government by notification in the Gazette of India make regulations not inconsistent with this Act and the rules made thereunder providing among others the terms and conditions of service of employees and the method of their recruitment. The Corporation accordingly made the Staff Regulations, 1960, and it is contended that under regulation 67 the Chairman can grant special leave to any employee and such leave shall not be debited to any leave account. The chairman may also direct that special leave may be granted to employees for injury from accidents arising from and in the course of employment, undergoing sterilisation operations, participating in tournaments or any other purpose whether of the same nature or not, specify the duration of leave for any purpose and the conditions subject to which such leave may be granted and delegate the authority to any officer to grant the leave. It is argued very vehemently at the Bar by the representative for the Corporation that the grant of special leave is solely a matter of discretion of the Chairman. He alone can decide the circumstances under which special leave may be granted to an employee. It is contended that under sub-regulation (1) of Regulation 67 the grant of special leave being discretionary and within the sole competence of the Chairman this Tribunal will have no jurisdiction to issue any direction or order by way of an award or otherwise directing the Chairman to exercise the discretion and grant special leave to any workman for the period of the railway strike. It is argued that the regulations framed by the Corporation under section 49 of the Life Insurance Act, 1956, have the force of statutory regulations and once the Government or a local authority embodies the conditions of service of their employees engaged in industry in statutory rules or regulations then to that extent they would be excluded from the jurisdiction of Industrial Tribunals and they cannot be varied by the Industrial Tribunals. Reliance for this proposition is placed by the representative of the Life Insurance Corporation of India on the judgement of the Supreme Court in Life Insurance Corporation of India and Anr. Vs. Shyamal Sharma in Sukhdev Singh and Ors. Vs. Bhagatram and Anr. (1975 LLJ p. 417) and the Delhi High Court Ratnakar Viswanath Joshi v. Life Insurance Corporation (1975 1 LLJ page 508).

12. It is then argued at the Bar by the representative of the Corporation that the reference is hopelessly vague and uncertain inasmuch as it does not define precisely the workmen concerned in the dispute as the words "all the employees who are residing in distant suburbs" are too imprecise

to refer to any specific workman or a group of employees. It is also submitted that the term "distant suburb" is too vague and imprecise to admit of an interpretation by this Tribunal.

13. On the other hand, it is argued by the representative of the workmen that this Court has jurisdiction to entertain the reference under section 2(k) and section 10 of the Industrial Disputes Act. It is contended by the representatives of the workmen that this Tribunal can go into the question whether the discretion is absolutely vested in the Chairman of the Corporation and question the propriety of the discretion. It is then maintained that the reference is not vague but is explicit. It is asserted that inaccuracy of language employed in the order of reference does not always make any difference to the jurisdiction of the Tribunal to proceed with the reference and adjudicate upon it as the Tribunal can interpret and find out the real meaning of the order of reference as it stands and it should construe the reference not too technically but fairly and reasonably. Reliance is placed by the representatives of the workmen on 1962 II LLJ pages 227 to 234 (Express Newspapers Limited and their workers and staff and others) and 1967 I LLJ 423 (Delhi Cloth and General Mills Company, Ltd., and their workmen and others). The representatives of the workmen argue that the terms "distant suburbs" can be determined by this Tribunal having regard to the pleadings of the parties and the evidence before it and the determination of this question is incidental to the main dispute.

14. The first point therefore that arises for determination in the reference is whether this Tribunal can go into the question of the discretion of the Chairman in refusing special leave to the workmen of the Life Insurance Corporation of India. There can be no dispute that under section 49 of the Life Insurance Corporation Act, 1956, the Corporation may with the previous approval of the Central Government, by notification in the gazette of India make regulations not inconsistent with this Act and the rules made thereunder to provide for all matters for which provision is expedient for the purpose of giving effect to the provisions of this Act. Subsection (2) of section 49 details the items for which the regulations may provide for, and the Life Insurance Corporation of India (Staff Regulations), 1960 were framed. Rule 67 lays down as follows:—

"67.(1) The Chairman may, at his absolute discretion, grant special leave to any employee. Such leave shall not be debited to any leave account.

(2) The chairman may also direct by Instructions issued in this behalf that special leave may be granted to employees for (i) injury from accidents arising from and in the course of employment, (ii) undergoing sterilisation operations, (iii) participating in tournaments or (iv) any other purpose whether of the same nature or not, specify the duration of leave for any purpose and the conditions subject to leave such leave may be granted and delegate the authority to any officer to grant the leave."

15. In view of the judgment of the Supreme Court reported in 1975 I LLJ 399 between Sukhdev Singh and others etc., and the Life Insurance Corporation of India and another and Shyam Lal Sharma the position is well settled that the rules and regulations framed by Statutory Corporations have the force of law and the Industrial Tribunal cannot modify them. It is only in so far as the conditions of service of the employees of statutory corporations remain contractual and do not become statutory that the industrial Tribunal will have jurisdiction to modify them. This was also the view taken by the Delhi High Court in Ratnakar Vishwanath Joshi and others and Life Insurance Corporation and others. It is no doubt stated in the decision of the Delhi High Court that if a Government or a local body are to embody the conditions of service of their employees engaged in "industry" in statutory rules or regulations then to that extent they would be excluded from the jurisdiction of Industrial Tribunals. But further on it has been observed that the Legislative contemplated that wherever a statute gives power either to a Government or a local authority or a statutory corporation to make rules or regulations embodying the conditions of service of their employees engaged in an "industry" such terms and conditions of service shall not be liable to be varied by the Industrial Tribunals.

16. Here in this case it is not a question of varying or modifying the statutory regulations. Regulation 67 undoubtedly confers an absolute discretion on the chairman of the Corporation to grant special leave but then the jurisdiction of the Industrial Tribunal cannot be ousted due to the sheer fact that absolute discretion for the grant of special leave is vested in the Chairman. If the discretion is not exercised bona fide and in a proper manner without taking into account the relevant material, circumstances etc., then it will be amenable to judicial review. In other words if the Tribunal finds that the Chairman had acted mala fide or had taken into account extraneous circumstance which he should not have considered then the Tribunal can certainly interfere. The vesting of absolute discretion with the chairman on the grant of leave cannot render the jurisdiction of the Tribunal ineffective. The Tribunal can certainly go into the question when a dispute arises as to whether the discretion was properly exercised by the Chairman under regulation 67 of the LIC Staff Regulations I therefore do not feel any reluctance in rejecting the arguments of the representative of the Life Insurance Corporation that since absolute discretion is vested in the Chairman regarding the grant of special leave this Tribunal is not competent to question his discretion.

17. The second point that arises for consideration is whether the reference is vague and uncertain. The reference does not of course refer to any specific workmen or group of employees but refers to all employee who are residing in distant suburbs. But on this score it cannot be said to be vague as it can be determined from the evidence as to who are the employees who are entitled to relief. But so far as the term "distant suburb" is concerned and the determination of the question as to what is a distant suburb it can be said to be hopelessly vague and uncertain. It was argued by the representatives of the workmen that the question as to what is a distant suburb is incidental to the main dispute. I am not inclined to accept this contention of the workmen. Under Section 10(1) of the I.D. Act, it is open to the appropriate Government to refer the dispute or any matter appearing to be connected therewith for adjudication. But for adjudicating upon a dispute the Tribunal is enjoined by section 10(4) to confine its adjudication to the points of dispute referred and to matters incidental thereto. In other words the Tribunal is not free to enlarge the scope of the dispute referred to it but must confine its attention to the points specifically mentioned and anything which is incidental thereto. The word "incidental" means according to Webster's New World Dictionary:—

"happening or likely to happen as a result of or in connection with something more important; being an incident; casual; hence, secondary or minor, but usually associated".

18. The Supreme Court had occasion to observe in 1967 I LLJ 423 (Delhi Cloth and General Mills Company and their workmen):

"Something incidental to a dispute" must therefore mean something happening as a result of or in connection with the dispute or associated with the dispute. The dispute is the fundamental thing while something incidental thereto is an adjunct to it. Something incidental therefore cannot cut at the root of the main thing to which it is an adjunct."

19. The Rajasthan High Court in 1959 II LLJ 656 at page 661 (Jaipur Spg. & Wvg. Mills v. J. S. & W. Mill Mazdoor Union) concluded,

"Word 'incidental' according to its dictionary meaning and the ordinary accepted popular sense implies a subordinate and subsidiary thing related to some other main or principal thing requiring casual attention while considering the main thing. Obviously matters which require independent consideration or treatment and have their own importance cannot be considered 'incidental'."

20. Here it cannot be postulated by any stretch of imagination that the determination of what is a distant suburb is incidental to the main dispute of the grant of special leave to the workmen. The word 'distant suburb' is hopelessly vague and the Tribunal cannot arbitrarily even in the light of evidence determine as to what is a distant suburb unless the parties agree among themselves as to what is its precise

connotation. It is hardly necessary to emphasise as was pointed out by the Supreme Court in Express Newspapers v. their workers and staff (1959 II LLJ 227) that since the jurisdiction of an industrial tribunal in dealing with an industrial dispute referred to it under section 10 is limited by section 10(4) to the points specifically mentioned in the reference and matters incidental thereto the appropriate Government should frame the relevant orders of reference carefully and the questions which are intended to be tried by the Industrial Tribunal should be so worded as to leave no scope for ambiguity or controversy. An order of reference hastily drawn or drawn in a casual manner often give rise to unnecessary disputes and thereby prolongs the life of Industrial adjudication which must always be avoided.

21. As it is worded the reference is nebulous and indefinite. It was for the Government to have specified in the reference as to what will be taken to mean as distant suburbs.

22. The term "distant suburb" is vague and conjectural and is not susceptible of precise definition. The order of reference should have specified as to what is a distant suburb and this Tribunal will be traversing the limits of its jurisdiction if it were to probe into the question treating it as an issue incidental to the main dispute. It must be point out that this Tribunal is not called upon to determine what is distant suburb and it is not a subject matter of controversy between the parties.

The reference is vague and cannot be adjudicated upon and has to be rejected which I accordingly do.

I may observe an passant that I am not in this judgment deciding the merits of the claim of the workmen and they are at liberty to pursue such remedies as are open to them. The reference as it is worded is incapable of being adjudicated and I have no other alternative but to reject it. I regret the result but in the circumstances it is inevitable.

No order as to costs.

Bombay, the 12th December, 1975

B. RAMLAL KISHEN, Presiding Officer.
[No. L 17011/12/74/LRI]

New Delhi, the 31st January, 1976

S.O. 693.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to Messrs New India Assurance Company Limited and their workmen, which was received by the Central Government on the 29th January, 1976.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, DELHI

C.G.I.D. No. 38 of 1975

BETWEEN

M/s. New India Assurance Company Limited.

AND

Their workmen, Shri Gulshan Lal Malhotra by the General Secretary, New India Assurance Co. Ltd., Northern Region Employees Union.

PRESENT :

Shri Madhoo Kapoor for the management.

Shri C. C. Vasudeva with the workman in person.

AWARD

The Central Govt. on being satisfied that an industrial dispute existed between the aforesaid parties has referred

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the same for adjudication to this Tribunal by its Order No. L. 17012/2/75/DH/A with the following terms of reference :—

"Whether the management of Messrs New India Assurance Company Limited, New Delhi, is justified in denying increments to Shri Gulshan Lal Malhotra, Typist, in January, 1963 and consequent additional increments in subsequent years till he opted for new scales? If not, to what relief is the said workmen entitled?

2. When the case came up today for hearing before me, a memorandum of settlement was jointly filed by Shri Madhoo Kapoor on behalf of the management and by Shri C. C. Vasudeva on behalf of the workman. Both the above-named representatives of the parties verify and admit the terms of settlement and prayed that a no dispute might be passed in this case. In view of this, I have no alternative but to pass a no dispute award which is passed accordingly.

9th January, 1976

D. D. GUPTA, Presiding Officer

[F. No. L17012/2/75-D-II/A]

R. KUNJITHAPADAM, Under Secy.

आवेदन

मई शिल्पी, 25 नवम्बर, 1975

कां. आ० 694.—केन्द्रीय सरकार की राय है कि इससे उपायद मनुष्यों में विनिर्दिष्ट विद्यों के बारे में श्री सन्त राम, खान स्वामी गांव और ढाकाब खेडी, कोटा के प्रबन्धताल से सम्बद्ध विद्यों को और उनके कर्मकारों के भी एक श्रोतोगिक विवाद विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को व्यायनिर्णय के लिए निर्देशित करना चाहनीय समझती है ;

प्रतः प्रब, श्रोतोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की घारा 10 की उप-घारा (1) के अध्य (ज) घारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त प्रधिनियम की घारा 7क के अधीन गठित केन्द्रीय सरकार श्रोतोगिक प्रधिकरण, जबलपुर को व्यायनिर्णय के लिए निर्देशित करती है ।

अनुसूची

या गांव और ढाकाब धाकाबहरी, कोटा के निवासी श्री सन्त राम, खान स्वामी की विनाई (मेसनर) पत्तर खान दंकी शेष के प्रबन्धताल की, श्री मुस्ताका खान, पत्तर काटो वाने की सेवाओं को 25-4-1975 से समाप्त करने की कार्रवाई व्यापोकित है ? यदि नहीं तो अक्त कर्मकार किस अनुसूच का हकदार है ?

[संख्या एफ०-२००११(११५)/७५-३ी-३(वी)]

ORDER

New Delhi, the 25th November, 1975

S.O. 694.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Shri Sant Ram, Minc Owner, Village and Post Office Dhakad Khedi, Kota and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Masonary Stone Mine, Tanki Area of Shri Sant Ram, Mine, Owner, resident of Village and Post Office Dhakad-Kheri, Kota in terminating the services of Shri Mustafa Khan, Stone Cutter with effect from the 25-4-1975 is justified? If not, to what relief is the said workman entitled?

[No. L-29011(115)/75-D.III(B)]

आदेश

नई दिल्ली, 26 नवम्बर, 1975

का० आ० 695.—केन्द्रीय सरकार की राय है कि इससे उपायद्र अनुसूची में विनिदिष्ट विषयों के बारे में श्री नन्द लाल, खान स्वामी मालिक, शिवपुरा, कोटा की, कोटा में उक्ती धोन के निकट मेसनरी खानों से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीधोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहती रूप समझती है;

अतः, अब, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (प) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार श्रीधोगिक अधिकरण जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है

अनुसूची

या श्री नन्दलाल, खान धामी शिवपुरा, कोटा की टैकी धोन के निकट मेसनरी खानों में नियोजित श्री मिया चांद और 8 अन्य, अस्ति सर्वे श्री रामलाल, मैल, चागन, बाल सिंह नामक पत्थर काटने वालों और मंगानी गुलाब, तुलसी और शांति नामक कूलियों की 24 मार्ज, 1975 से सेवाएं समाप्त करने की कार्यवाही न्यायेन्द्रित है? यदि नहीं, तो कर्मकार किस अनुतोष के द्वारा है?

[सं. ए०-29011(105)/75-डी०-3(बी)]

ORDER

New Delhi, the 26th November, 1975

S.O. 695.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Masonary Mines Near Tanki Area at Kota of Shri Nandlal, Mine Owner, Shivpura, Kota and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under Section 7A of the said Act.

SCHEDULE

Whether the action of Shri Nandlal, Mine Owner, Shivpura, Kota in terminating the services of Shri Miyachund and 8 others namely, Sarva Shri Ram Lal, Bhairu, Chagan, Bal Singh, Stone Cutters and Mangani, Gulab, Tulsi and Shanti, Coolies employed in Masonary Mines Near Tanki area with effect from 24th March, 1975 is justified? If not, to what relief is the workman entitled?

[No. L-29011(105)/75-D.O.III(B)]

आदेश

नई दिल्ली, 27 नवम्बर, 1975

का० आ० 696.—केन्द्रीय सरकार की राय है कि इससे उपायद्र अनुसूची में विनिदिष्ट विषयों के बारे में मैसर्स डालमिया मैनेसाइट कारपोरेशन, सलेम-5 के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीधोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना चाहती रूप समझती है;

अतः, अब, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और 10 की उपधारा (1) के खंड (प) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक श्रीधोगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी यह टी० पालानियापन होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त श्रीधोगिक अधिकरण को न्यायनिर्णयन के लिये निर्देशित करती है।

अनुसूची

या डालमिया मैनेसाइट कारपोरेशन, सलेम के प्रबन्धतन्त्र का श्री पी० क० काथिरवेलु, मिस्टरी की मजदूर के रूप में गवाननत करना न्यायेन्द्रित है। यदि नहीं, तो श्री काथिरवेलु किस अनुतोष के और किस तारीख से हुक्मदार है?

[सं. ए०-29011/125/75/डी०-3(बी)]

ORDER

New Delhi, the 27th November, 1975

S.O. 696.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Dalmia Magnesite Corporation, Salem-5, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Thiru T. Palaniappan as Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the management of Dalmia Magnesite Corporation Salem is justified in demoting Shri P. K. Kathirvelu, Maistry to a Mazdoor? If not, to what relief Shri Kathirvelu is entitled and from what date?

[No. L-29011/125/75/DIII(B)]

आदेश

नई दिल्ली, 5 दिसम्बर 1975

का० आ० 697.—केन्द्रीय सरकार की राय है कि इससे उपायद्र अनुसूची में विनिदिष्ट विषयों के बारे में मैसर्स डैसल ब्रावर्स, खान स्वामी औहरी बाजार, जयपुर (राजस्थान) की आलनपुर सिलिमा सैण्ड माइस्टरी के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीधोगिक विवाद विद्यमान है।

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशित करना चाहती रूप समझती है;

अतः, अब, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (प) द्वारा प्रदत्त शक्तियों

का प्रयोग करते हुये केन्द्रीय सरकार उक्त विवाद को उक्त प्रधिनियम की धारा 7 के अधीन गठित केन्द्रीय सरकार श्रीद्वयिक प्रधिकरण, जबलपुर को न्यायनिर्णयन के लिये निर्विचित करती है।

अनुसूची

क्या मैसर्स बंसल ब्रादर्स, खान स्वामी जोहरी बाजार, जयपुर (राजस्थान) के आलनपुर सिलिस मैण्ड माइन में नियोजित कर्मकारों की लेखा वर्ष 1971-72, 1972-73 और 1973-74 के लिये 200% की दर से लाभ सहभाजन बोनस की मांग न्यायोचित है यदि नहीं तो कर्मकार प्रत्येक लेखा वर्ष के लिये कितने बोनस के हकदार हैं?

[संख्या एल-29 011/113/75-डी-3 (प्री)]

एस० एस० एस० एस० प्रध्ययर, अनुभाग प्रधिकारी (विशेष)

ORDER

New Delhi, the 5th December, 1975

S.O. 697.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Alapur Silica Sand Mines of Messrs Bansal Brothers, Mine Owners, Johari Bazar, Jaipur (Rajasthan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

Whether the demand of the workmen employed in Alapur Silica Sand Mine of Messrs Bansal Brothers, Mine Owners, Johari Bazar, Jaipur (Rajasthan) for payment of profit sharing bonus at the rate of 20 per cent for the accounting years 1971-72, 1972-73 and 1973-74 is justified? If not, to what quantum of bonus are the workmen entitled for each accounting year?

[No. L-29011/113/75/DIII/B]

New Delhi, the 29th January, 1976

S.O. 698.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Bahula Colliery of the Coal Mines Authority Limited and their workmen, which was received by the Central Government on the 20th January, 1976.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 51 of 1975

PARTIES :

Employers in relation to the management of Bahula Colliery of Coal Mines Authority Limited,
AND
Their Workmen.

APPEARANCE :

On behalf of Employers—Shri S. P. Singh, Area Industrial Relations Officer, Shri B. N. Lala, Asstt. Chief Personnel Officer & Shri M. P. Roy, Industrial Relations Officer.

On behalf of Workmen—Shri Murtaza Ansari and Shri Rajnanda Pandey, concerned workmen.

STATE : West Bengal.

INDUSTRY : Coal Mines.

AWARD

The Government of India, Ministry of Labour, by Order No. L-19012/18/74/LRII/D. III B dated 26th July, 1975, referred an industrial dispute existing between the employers in relation to the management of Bahula Colliery of Coal Mines Authority Limited and their workmen, to this Tribunal, for adjudication. The reference reads :

“Whether the management of Bahula Colliery of Messrs Coal Mines Authority Limited, Post Office Bahula, District Burdwan, is justified in not agreeing to designate (1) Shri Murtazar Ansari of Pure Jambad Unit as Dhawrah Supervisor and (ii) Shri Rajnandan Pandey of North Jambad Unit as Head Chapparsi, both with effect from 31st January, 1973? If not, to what relief are the said workmen entitled?

2. When the reference came up for hearing today both the workmen concerned appeared along with a representative of the Union to which they are attached. They had already filed statements stating that they do not press the claim covered by the Reference. The management's representatives are also before the Tribunal.

3. In the result, the Reference is rejected as not pressed. That is the award in the case.

E. K. MOIDU, Presiding Officer

[No. L. 19012/18/74/DIII(B)]

S. H. S. IYER, Section Officer (Spl.)

Calcutta, 15-1-76.

आवेदन

नई विल्सो, 29 नवम्बर, 1973

का० आ० 699.—केन्द्रीय सरकार की राय है कि इससे उपबद्ध अनुसूची में विनियोजित विषयों के बारे में मैसर्स प्रवीप पोर्ट ट्रस्ट के प्रबन्ध-तंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीद्वयिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्विचित करना चाहती है समझती है;

प्रतः, प्रव, श्रीद्वयिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 7 के और धारा 10 की उपधारा (1) के खण्ड (अ) धारा प्रवत्स शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार एक श्रीद्वयिक प्रधिकरण गठित करती है जिसके पीठासीन प्रधिकारी राज्य श्रीद्वयिक प्रधिकरण उड़ीसा, भुवनेश्वर के पीठासीन प्रधिकारी होंगे, जिनका मुख्यालय सुवनेश्वर में होगा और उक्त विवाद को उक्त श्रीद्वयिक प्रधिकरण को न्यायनिर्णयन के लिये निर्विचित करती है।

अनुसूची

क्या पारदीप पोर्ट ट्रस्ट के कर्मकारों की मांग है कि प्रधान साक्षात्कारों के कार्यालय श्रद्धालुओं के काड़र को प्रधानीय सेवापालों के कार्यालय श्रद्धालुओं के काड़र को साथ नहीं मिलाया जाना चाहिये, न्यायोचित है? यदि हां तो कर्मकार किस अनुत्तर के हकदार हैं?

[संख्या एस-38012(3)/75-डी-4 (ए)]

ORDER

New Delhi, the 29th November, 1975

S.O. 699.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Paradip Port Trust and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10,

of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which the Presiding Officer of the State Industrial Tribunal, Orissa at Bhubaneswar shall be the Presiding Officer, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the demand of the workmen of the Paradip Port Trust that the cadre of Head Assistants/Office Superintendents should not be merged with the cadre of Divisional Accountants is justified? If so, to what relief are they entitled?

[No. L-38012(3) /75-D IV(A)]

आदेश

नई विली, 6 विसम्बर, 1975

का० आ० 700.—केन्द्रीय सरकार की राय है कि कि इससे उपायक अमृतसूची में विनियिष्ट विषयों के बारे में मिनरल्स एंड मैटल्स ट्रेडिंग कारपोरेशन भाफ इंडिया, लिमिटेड, मद्रास के प्रबन्धताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रौथोगिक विवाद विद्यमान है—

और केन्द्रीय सरकार उक्त विवाद को व्यायामिण्यन के लिये निर्देशित करना बाध्यनीय समझती है ;

अतः, यदि, ग्रौथोगिक विवाद व्यायामिण्यम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक ग्रौथोगिक व्यायामिण्यन गठित करती है जिसके पीछासीन व्यक्तिकारी श्री टी० पालान्नप्पन होंगे, जिनका मुख्यालय मद्रास में होगा, और उक्त विवाद को उक्त व्यायामिण्यन के लिये निर्देशित करती है ।

प्रनुसूची

क्या मिनरल्स एंड मैटल्स ट्रेडिंग कारपोरेशन भाफ इंडिया लिमिटेड, मद्रास द्वारा सीधे भर्ती किये गये दैसी पर्यवेक्षकों और मजदूरों को 1 जनवरी, 1974 से रात्रि पारी भते के संदर्भ की मांग व्यायोक्ति है ? यदि हाँ, तो कर्मकार किस प्रतीक के हकदार है ?

[संख्या एल०-33011/2/75-दो०-4ए]

ORDER

New Delhi, the 6th December, 1975

S.O. 700.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Minerals and Metals Trading Corporation of India Limited, Madras and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Palanappan, shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

Whether the demand for the payment of night shift allowance from the 1st January, 1974 to the Tally Supervisors and Mazdoors engaged directly by the Minerals and Metals Trading Corporation of India

Limited, Madras is justified? If so, to what relief are the workmen entitled?

[No. L-33011/2/75-D. IV(A)]

आदेश

नई विली, 23 विसम्बर, 1975

का० आ० 701.—केन्द्रीय सरकार की राय है कि इससे उपायक अमृतसूची में विनियिष्ट विषयों के बारे में मैसर्स बॉम्बे मैरीन इंजीनियरिंग वर्क्स प्रा० लि० मुम्बई के प्रबन्धताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रौथोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को व्यायामिण्यन के लिये निर्देशित करना बाध्यनीय समझती है;

अतः, यदि, ग्रौथोगिक विवाद व्यायामिण्यम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त व्यायामिण्यम की धारा 7-क के अधीन गठित केन्द्रीय सरकार ग्रौथोगिक व्यायामिण्यन (संख्या 1), मुम्बई को व्यायामिण्यन के लिये निर्देशित करती है ।

प्रनुसूची

यथा मैसर्स बॉम्बे मैरीन इंजीनियरिंग वर्क्स, प्रा०लि०, मुम्बई के धरताल की श्री बी०एस० बंदारकर, लेखा सहायक, की 7 जुलाई 75 से सेवाएं समाप्त कर देने की कार्रवाई व्यायोक्ति है ? यदि तो उक्त कर्मकार किस प्रतीक का हकदार है ?

[संख्या एल०-31012/4/75-दी०-4(ए)]

नव लाल, प्रनुसार व्यक्तिकारी (विशेष)

ORDER

New Delhi, the 23rd December, 1975

S.O. 701.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Bombay Marine Engineering Works Private Limited, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, (No. 1), Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Messrs Bombay Marine Engineering Works Private Limited, Bombay in terminating the services of Shri V. S. Bhandarkar, Accounts Assistant, with effect from the 7th July, 1975 is justified? If not, to what relief is the said workman entitled?

[No. L-31012/4/75/DIV/A]

New Delhi, the 22nd January, 1976

S.O. 702.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen, which was received by the Central Government on the 21st January, 1976.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 5 of 1975

PARTIES :

Employers in relation to the management of Calcutta
Port Commissioners, Calcutta.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers—Sri S. P. Naha, Deputy Labour
Adviser and Industrial Relation Officer.

On behalf of Workmen—Sri K. K. Roy Ganguly.

STATE : West Bengal.

INDUSTRY : Port & Dock.

AWARD

The Government of India, Ministry of Labour, by Order No. L-32011/13/73-P&D/CMT/D-IV(A) dated 18th January, 1975 referred an industrial dispute existing between the employers in relation to the management of Calcutta Port Commissioners, Calcutta and their workmen, to this tribunal, for adjudication. The reference reads :

1. Having regard to the nature of duties performed by the monthly rated non-operational porters and female monthly gangs and keeping in view the Central Industrial Tribunal award in reference No. 8 of 1958, whether the said porters and gangs are entitled to a special allowance of Rs. 7.50 per month called as dust allowance ? If so, from what date ?
2. Whether the demand of the Calcutta Port and Shore Mazdoor Union for permanency of 17 casual non-operational porters is justified ? If so, from what date ?

POINT I.

2. We are concerned with the categories of workmen under the first part of the reference. They are (1) Monthly rated non-operational porters, known as M.N.O.P. and (2) Female Monthly Gangs, known as F.M.G. M.N.O.P. gang are engaged to work in the port area certain items of work specified in Annexure 6 to the written statement of the Port Trust and F.M.G. group were to execute the work specified in Annexure 7, which is same as Ext. W-3. There is some overlapping in the items of work allotted to M.N.O.P. and F.M.G. They are, however, non-operational.

3. Calcutta Port Trust started employment of following types of group workers for manual labour within the port area in the beginning. They are (1) Departmental porters, (2) Primary Gangs, (3) Secondary Gangs and (4) R.E.E. Gangs. R.E.E. Gangs were recruited for specified work as and when required from the Employment Exchange. The group workers specified above as Nos. 2 to 4 were classified as A, B and C categories respectively. The departmental porters, (No. 1 above) are also included in Category No. A. As a result of a settlement between the union of workmen and Port Trust as well as by slow process of standardisation the group of workmen in B and C category was dispensed with by enlisting them from C to B and B to A after medical examination as to their fitness for work in each of those categories. "A" category workmen have to do the operational work within the port area. Operational work include landing shipping, loading, unloading, restacking, working cargo inside boats, etc. This sort of work is different from non-operational work. The non-operational work is being performed only by M.N.O.P., F.M.G. and casual non-operational porter (C.N.O.P.). As a result of medical test some of the members of B category were found to be unfit for operational work in the port area. However, on further examination they

were found to be fit for non-operational work. Hence they were classified as monthly rated non-operational male porters, which is the class (1) workmen in the first part of the Reference. M.N.O.P. gang was formed out of the B category after they were found medically unfit for operational work. Settlement dated 30-8-1965 and 9-5-1969 will give us a clear picture as to how M.N.O.P. and F.M.G. group of workers were formed for non-operational work. They are permanent workmen of the Port getting a schedule rate of salary and other benefits. It was under the settlement dated 3-8-1965 that the monthly rated female workers group (F.M.G.) was formed. Originally the female gang was attached to A category Coal Dock Gangs. Due to introduction of advanced appliances for loading and unloading of coal into and out of the ships female gang could not cope with the work in the Coal Dock yard. It was accordingly that they were taken out of the Coal Dock yard and placed them as monthly rated female workers group. The nature of the work which the males and females as monthly paid workers has to perform in the non-operational field in the port area is more or less the same. They claim that they are also entitled to get "dust allowance" at the rates paid to A category workmen in as much as they have been handling cargo like coal, ore, cement or sulphur during the shipment and unshipment of those cargoes at the port.

4. So the important question that arises for consideration is whether the MNOP and FMG gangs were entitled to dust allowance as was being paid to the operational workmen who are in the 'A' category.

5. The basis of the demand for dust allowance is by way of compensation on account of handling coal, ores, cement and sulphur which result in disagreeableness of the work due to the dust arising out of the cargoes in the course of their handling and for the bad effects to which the workmen may be exposed by reason of such dust. There are other grounds for claiming the dust allowance. The workmen who handle the dusty cargo suffer from extra fatigue and hardship and inhale coal, ore, cement and sulphur dust while handling all those cargoes. It might reduce the working capacity and ability of the workmen if they are employed for continuous handling of those cargoes. It is also significant to note that when the pay structure of MNOP and FMG was fixed the authorities concerned did not take into consideration the handling of these dirty and hazardous cargoes resulting in extra fatigue, hardship and susceptibility to consumptive diseases.

6. A similar question came up before this Tribunal in Reference No. 8 of 1958, where the Coal trimmers and shore workers who handled dusty cargo consisting of coal, ores, cement and sulphur in the Port of Calcutta claimed dust allowance. This Tribunal after an elaborate enquiry held that they were entitled to dust allowance. This was contained in an award dated 29-11-1958. The relevant portion of the award reads :—

"The shore workers who handle dusty cargoes, coal, cement, ores and sulphur may legitimately claim Rs. 7/8 p.m. as a special allowance. I accordingly award that the coal trimmers shall get an allowance of Rs. 7/8 p.m. instead of their present trimming allowance of Rs. 5 and the other workers shall get 29 nP per shift or part thereof as dusty allowance. Any worker who attends to or handles such dusty cargoes continuously for 26 days shall get Rs. 7.50 nP per mensem as special allowance. The workers who attend to the rubber conveyor belt in the mechanical system shall also be entitled to this allowance. This award about this special dust allowance shall take effect from the date when the award comes into effect. The Union's claim for retrospective effect is rejected. This special allowance shall be subject to any decision or award that may be given in future on all India basis."

The above award was taken up in appeal to the Supreme Court by the Port Trust, but the appeal was dismissed confirming the Award. The rate of dust allowance has subsequently been raised to Rs. 12.50 paise per mensem or 48 paise per day which was being paid to all "Shore cargo handling workmen" of the Calcutta Port Trust.

7. It is relevant in this connection to refer to another award in Reference No. 41 of 1962 of this Tribunal. The specific question referred to that Tribunal reads :—

1. Which specific categories of shore workers should be eligible for the grant of dust allowance in terms of the Award of the Central Government Industrial Tribunal at Calcutta in Reference No. 8 of 1958;
2. Whether individual workers of the eligible categories will be entitled to the dust allowance only if they are physically present at the work spot or only when they are so present and are actually engaged in handling the dusty cargoes, viz., coal, cement, ores and sulphur."

It is necessary to consider the scope of the award made in Reference No. 41 of 1962 on the basis of point no. (1) referred to above. The learned Presiding Officer of the Tribunal himself clarified in the scope and effect of the award in paragraph 3 of the award. It stated :

"3. At the outset, I may mention that the present inquiry is under Section 36A of the Industrial Disputes Act and is not a regular reference under Section 10. The scope of an inquiry under 36A is limited. Under that section, the Government can refer a question to a Tribunal for decision if in its opinion any difficulty or doubt has arisen about interpretation of any provision of an award or settlement. In deciding a matter under Section 36A, the only thing that the Tribunal has got to do is to consider the propriety, correctness or validity of any provision of an award nor would it have any power to review or modify them, even on basis of evidence which may be adduced before it. For instance if under the terms of award under consideration, a particular category of workmen is not entitled to dust allowance, this Tribunal cannot now award it in this proceedings, even though it may feel that on merits that category of workmen should get that allowance. Similarly, this Tribunal cannot also consider whether any category of workmen who may be held entitled to dust allowance under the terms of the original award, should get the same allowance or more or less. This Tribunal can only consider as to which of the categories of shore workers would be eligible to grant or dust allowance in terms of the above award."

In the light of these observations it would be difficult to hold that the Tribunal had considered the claims of each of the group of workmen involved in the reference. I have been referred to statement, marked Ext. M-1, which the union filed in Reference No. 41 of 1962 referred to above in respect of the workmen who claimed dust allowance. It can be inferred from it that some non-operational gangs were also included in the list, but there was nothing to indicate in the Award to show that the Presiding Officer considered the claims of all those persons on merits. He had stated in the Award that reference before him was not under Section 10 but it was under Section 36A of Industrial Disputes Act. In this regard it is also relevant to point out that the Presiding Officer felt that some category of workmen before him had a case to put forward towards their claim for dust allowance. In this connection his observation at paragraph 17 of the award may be seen. It reads :

"....I must mention that I do feel that there is some case for some of the categories of workmen for which a dust allowance is being claimed, but I have no jurisdiction to go into the merits in this inquiry which is one under Section 36A. The workmen, if they so think fit, may move the Government to make a fresh reference under Section 10 of the Industrial Disputes Act when the matter would be gone into one merits."

This observation is further indication that the claim now put forward by the MNOP and FMG for dust allowance was never considered on merits and decided by any Tribunal. They had been making the claim to the Port Trust. They also did not give a finality to it. So, it requires to be considered whether they can sustain a claim for dust allowance as shore cargo handling workers. In this connection again we have to refer to another award in Reference No. 44 of 1970. The point involved in that reference was whether the demand for the supply of uniform made by the shore cargo handling workers of Calcutta Port Commissioners, was justified. This question was answered in the affirmative by the Tribunal by its Award dated 27-1-1971. The relevant portion of the award reads :

"16....So far as the remaining categories are concerned, namely monthly non-operational porters and female muster gang porters, it appears from the documentary evidence filed by the management itself, namely, Ext. 4 and 6, that part of their duty comprise of cargo handling. So, they are partly cargo handling workmen although not wholly so. I am of the opinion that by the expression 'shore cargo handling workmen', it was not meant to include only workmen whose exclusive duty was to handle cargo. The expression must be large enough to include workmen part of whose duty comprise of cargo handling."

8. As a result of the above conclusion the Tribunal held that over and above 'A' category workmen, departmental porters, monthly non-operational porters and female muster gang porters are included within the expression "shore cargo handling workmen."

9. If the monthly rated male and female non-operational gang could be included within the ambit of the expression "Shore cargo handling workmen" much weight and importance had to be attached to their claim for dust allowance provided they establish that they handle or move dusty cargo on the shore of the port of Calcutta. In this connection we will have to examine the evidence adduced in the case.

10. In the establishment Schedule for the year 1973-74, published for the Commissioners for the Port of Calcutta at page 149 the monthly rated female workmen and monthly rated non-operational porters are included within the cargo handling group of workmen.

11. The 1st witness examined on behalf of the workmen was Shri Krishna Kanta Roy Ganguly, a Joint Secretary of Calcutta Port Shore Mazdoor Union. He stated that the workmen concerned in this case are also doing operational work to some extent as "A" category workmen on the dock. He stated further that while the cargo was being handled they spread out the entire dock. So, according to him these mazdoors collect those remnants and fill in the cargo in fresh bags. Second witness, Smt. Bhagawati Satnam stated during the course of her evidence as follows :

"We are to do different sorts of work. During our duties we collect coal, cement, sulphur, etc. and also sweep, close shed doors. Cargo dock gangs also work with us. During shipment of coal when the cargo dock gangs work in port, coal are sprinkled at the spot; we collect those coal and put them in tubs which are subsequently put in the vessels. During the operation of cement, ore and sulphur, similar type of operations are done and we collect those materials and fill them in bags. In the course of handling coal, ore, cement and sulphur, tonnage gang also work with us. Tonnage gang are paid dust allowance.... Each day in course of our duty we are to handle coal, cement, ore or sulphur."

The evidence of the third witness, Sri Babu Nanda Rai, who supervised the work of all types of workmen on the dock during the shipment and unshipment of dusty cargo had also given a very clear picture of the very hazardous work which MNOP and FMG gangs had been doing in the case of handling dusty cargo. That evidence reinforced the evidence of other witnesses in the case.

12. As against the evidence of the workmen the management had chosen to examine Sri Anil Chandra Bal, who was in charge of cargo shipment and unshipment in the Traffic Department of Port. His evidence did not mention a word regarding the nature of the work which MNOP and FMG gangs had been doing regarding the alleged handling of dusty cargo. However, his evidence revealed that by the very nature of separation of work between "A" category workmen on one side and MNOP and FMG on another or between operational and non-operational workmen, it had to be construed that the right to claim dust allowance was a privilege which could be enjoyed only by the "A" category workmen or porters employed for the operational work. There is no validity for such an assumption, specially when there had not been a provision made either under law or by reason of any continued practice that MNOP and FMG gangs are barred from claiming dust allowance. Dust allowance has to be paid on the basis of the work actually turned out by MNOP and FMG gangs in respect of dusty cargo and not on the basis of the classification of the workmen. There is no force in

the contention that the operational workmen doing the basic operation as defined in the revised incentive piece-rate scheme can alone claim dust allowance. Dust allowance has to be allowed on the merits of individual cases which come up for determination before the Tribunal. Here is a case in which the workmen in question had been handling cargo in some form or other. The main argument for payment of dust allowance to "A" category workmen was that those manual workers who actually load and unload the cargoes suffered extra fatigue and hardship because of dusty and hazardous cargoes. They suffered the disability since they had to inhale dust particles coming out of the injurious articles they handled. Inhalation of such dust would be different in the cases of different categories of workmen. Should one say that MNOP and FMG workmen will not inhale dusty cargo when they handle them by sweeping, filling in bag, and collecting them to be carried to the ship or out of it. We cannot shut out our eyes when the facts are brought to our notice that these classified category of workmen could not get the benefit of an allowance when actually they came into contact with the dust particles during the process of shipment and unshipment of dusty cargo.

13. The meaning of the word "handle" is defined as to mean to manipulate or to hold or to move with the hand. So, it can be said that the expression "Shore Cargo handling workmen" to mean workmen who manipulate goods carried or to be carried by ships so long as the goods are on the shore. But we cannot give a restricted meaning to the word "handle". We have to include in it all those persons who come directly in touch with dusty cargo by actual handling of that cargo in one form or other. That does not mean all persons who have got to do any supervisory work or those who indirectly help shipment or unshipment of dusty cargo will come in the category. So, on a careful consideration of the evidence and of the circumstances brought out in the evidence in the case, I am constrained to hold that the MNOP and FMG gangs are also entitled to dust allowance at the rates now being paid to "A" category workmen of the Port of Calcutta.

14. But I will make it very clear that all the workmen coming within the classification of MNOP and FMG gangs will not be entitled to the dust allowance as of right, but only those gangs who are deputed by the Port Trust from day to day to handle cargo of the nature of cement, ores, coal and sulphur either by sweeping, carrying, bundling, filling or doing any kind of work of handling of such cargo will be entitled to get dust allowance. For an expedient and clear working of the system the Port authorities may depute from day to day certain number of those gangmen or women for handling dusty cargo in such manner as they think fit and allot sufficient number of workmen for handling the said cargo in the manner in which they had been handling all along. They may then be paid dust allowance for the work they turned out. The dust allowance can be paid for the days they worked on daily rate system. The rate payable to them is already fixed. I find accordingly that MNOP and FMG gangs are also entitled to dust allowance in the manner indicated above. So, the first part of the reference is answered in favour of the workmen.

POINT 2 :

15. The second type of workmen with whom we are concerned under the second part of the Reference are called as CNOP (Casual Non-Operational Porters). They are neither up nor down to any other category of workmen in the port. They can vacate their post only by death. They are the residue left after upliftment of "B" and "C" category of workmen to "A" category finding them unfit for any kind of work earmarked for operational workmen included in "A" category. They were also found unsuitable for doing non-operational work earmarked for MNOP gang as a result of medical test. But the medical test established that they are fit for the work to be allotted to CNOP. So they had been doing the work allotted to them as CNOP. The question is whether they could be confirmed in the post as CNOP. The only argument advanced against their confirmation is that they would, once made permanent, ask for the work of MNOP allotted to them and that would create confusion in the ranks of the workmen. I do not think the argument of the Port Authorities will carry any conviction on this score. In both the medical certificates produced and marked as Ext. M7 and M8 in respect of two CNOP workmen including Moti Khan, the fourth witness examined for workmen, the medical officer stated that they were fit for work as CNOP gang. If they are made permanent as CNOP, I do

not think that the position or nature of their work will in any manner be effected. They will have to continue their work as at present in the CNOP gang. I do not find any rule or provision to stop the confirmation of CNOP. Even the Port Commissioners at some stage of negotiations with the Union concerned agreed to consider their case for confirmation after they put in one year's service. But the Commissioners did not so far comply with that decision. Any way taking into consideration the small number of workmen, it is alleged there are only 15 workmen in this category at present, and the nature of the benefit they are likely to get if they are confirmed, I direct that all the CNOP workmen now at work shall be confirmed after they go in again for a medical test for the purpose of establishing their suitability for working in the CNOP gang. If they are found fit and suitable on medical examination, they will be confirmed with effect from the date of this reference.

16. In the result, the reference is answered in favour of the workmen. The Monthly rated non-operational porters and Female monthly gangs referred to in part 1 of the reference shall be paid dust allowance in the manner indicated with effect from the date of publication of this award under Section 17 of the Industrial Disputes Act, 1947 and casual non-operational porters referred to in part 2 of the reference shall be confirmed in the manner indicated with effect from the date of reference.

An award is passed accordingly.

Calcutta, the 15th January, 1976.

E. K. MOIDU, Presiding Officer.

[No. I-32011/13/73-P&D/CMT/D. IV(A)]

S.O. 703.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on the 20th January, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/6 of 1975

PARTIES :

Employers in relation to the Management of Bombay Port Trust ;

AND

Their workmen.

APPEARANCES :

For the Employers : Shri R. K. Shetty, Legal Adviser.
For the Workmen : No appearances.

STATE : Maharashtra INDUSTRY : Major Ports and Docks.

AWARD

The Government of India, Ministry of Labour, have by their Order No. 31012/2/74-P&D/OMT/DIV(A) dated 8th April 1975 made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of Bombay Port Trust and their workmen in respect of the matters specified in the following schedule :

SCHEDULE

Whether the action of the management of Bombay Port Trust in rejecting the School Leaving Certificates produced by Sarvashri Pandurang Ramji

Karanje and Sahadeo Arjun Patil for determination of their dates of birth and consequentially the age of retirement is justified? If not, to what relief are the said two employees entitled?"

2. After the receipt of the order of reference notices dated 16th April, 1975 were issued to the parties by registered post acknowledgement due to file their respective statements. The notice issued to the Union was returned unclaimed. As no statement was filed by either party the reference was fixed for hearing on 30th September, 1975 by notice dated 11th September, 1975. On 30th September, 1975 there was no appearance on behalf of the workmen but the representative of the Port Trust appeared and notice for ex-parte hearing on 27-10-1975 was directed to be issued. The ex-parte notice issued to the union by registered post acknowledgement due was returned unclaimed and no one remained present on behalf of the workmen on 27-10-1975. The representative of the management appeared on 27-10-1975 and requested for time to file written statement. The hearing was therefore adjourned to 6-11-1975. On 7-11-1975 the Bombay Port Trust filed its written statement and on 29th November, 1975 notices were issued to the parties by registered post acknowledgement due fixing the hearing on 29th December, 1975. In this notice the management of the Bombay Port Trust was also directed to display a copy of the notice together with its translation in the vernacular on their notice board for the information of the workmen and to file an affidavit to that effect before this Tribunal. The management has complied with this direction. The notice of hearing on 29th December, 1975 sent to the union was also returned unclaimed and no representative of the workmen was present. Shri Shetty, the Legal Adviser of the Bombay Port Trust who appeared for the management submitted that as the workmen have not filed their statement of claim and the notices sent to the union have been returned unclaimed they are not interested in prosecuting the reference and an award should be passed by this Tribunal accordingly.

3. In their written statement the employers submit that one of the two workmen involved in this reference viz, Shri Pandurang Ramji Karanje, was employed as a watchman in the engineering department and since no proof of the date of birth of the said employee was produced by him the employer's Medical Officer assessed the employee's date of birth as 1-7-1916 on the basis of the employee's statement and the assessment by the Port Trust Medical Officer in conformity with Government practice. The Secretary of the Port Trust issued a circular dated 13-9-1954 to all departments directing that every employee then present in service should be called upon to challenge the recorded date of birth within a period of three months with proper documentary evidence, if he so desired. In accordance with this circular the employee produced a school leaving certificate issued on 25-3-1955 claiming his date of birth as 24-12-1921; this claim was scrutinized and recommended by the Ad hoc Committee then appointed for the purpose but after careful consideration the claim was rejected in 1957 by the Chairman of the Port Trust on the basis that the date of re-examination by the employer's Chief Medical Officer was the same as that was earlier assessed by the employers' Medical Officer in the year 1943. It is stated that the said employee again claimed the change in the recorded date of birth on 28-9-1973 on the strength of the aforesaid school leaving certificate which was not accepted by the Chairman as the employee was not able to produce any corroborative evidence. As regards the other workman Shri Sahadeo Arjun Patil it is stated that he did not produce any evidence in support of his contention that his date of birth was 15-7-1917; that he merely produced on 16-10-1973 the duplicate copy of the school leaving certificate dated 1-10-1973 and stating that he had a sister who was reported to be 80 years of age. No corroborative evidence was produced and his claim was rejected by the Chairman. It is the submission of the employers that these employees had neither submitted an appeal against the earlier orders in 1957 rejecting their claims nor had they availed of the opportunity offered to them in pursuance of the award dated 10-9-1959 given by Shri F. Jeejeebhoy, Arbitrator in Arbitration No. 2 of 1959. It is further submitted that although the Transport and Shipping Ministry wrote to the Labour Ministry that these cases did not merit a reference to adjudication the Labour Ministry issued the present order of reference. It is stated that these workmen have retired on 1-7-1974 and although they were directed to file their statement of claim within two weeks and fixed for evidence and

hearing on 30-9-1975 and ex-parte hearing on 27-10-1975 both the workmen failed to take any action in the matter which shows that they are not interested in pursuing this matter. The employers have therefore submitted that the reference should be dismissed for non-prosecution.

4. It will be seen from para 2 above that the workmen were given every opportunity to file their statement of claim and to represent their case before this Tribunal. The notices sent to the union were returned unclaimed but even after that the employers were directed to display the notice of hearing on their notice board with its translation in the local language (Marathi) for the information of the workmen. But the workmen or their representative did not care to attend the hearing. The burden of establishing that the action of the management of the Bombay Port Trust in rejecting the school leaving certificate produced by Sarvashri Pandurang Ramji Karanje and Sahadeo Arjun Patil for determination of their dates of birth and consequentially the age of retirement was not justified was on the workmen. But unfortunately the workmen or their representative did not appear in spite of repeated notices to establish their claim. In the circumstances I have no other alternative but to make a 'no dispute' award in this reference.

5. The reference is answered accordingly.

6. No order as to costs.

Bombay, 1-1-76 B. RAMLAL KISHEN, Presiding Officer
[No. L-31012(2)/74-P&D/D-IV(A)]
NAND LAL, Section Officer (Spl.)

प्रावेश

नई बिल्ली, 4 दिसम्बर, 1975

का० ए० 704.—केन्द्रीय सरकार की राय है कि इससे उपायद मनुसूची में विनिविष्ट विषयों के बारे में भारतीय खाद्य नियम, मद्रास के प्रबन्धताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ध्रोषोगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिये निर्देशित करता वांछतीय समझती है;

प्रतः द्वा० ध्र० ध्रोषोगिक विवाद प्रक्रियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपायारा (1) के बांड (3) धारा प्रबन्ध शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक ध्रोषोगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी पिंड टी० पालामीअप्पन होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णय के लिये निर्देशित करती है।

मनुसूची

न्या भारतीय खाद्य नियम के प्रबन्धताल की श्री श्री० कामन, लोडिंग मजदूर को 10-4-1974 से पदच्युत करने की कार्यवाही न्यायोनित है? यदि नहीं, तो श्री श्री० कामन किस मनुसूची के हक्कार है?

[संख्या ए०-४२०१२(३९)/७४-ए०-मार०-३८०-२(श्री)]
हरबस बहादुर, न्यायालय अधिकारी (विशेष)

ORDER

New Delhi, the 4th December, 1975

S.O. 704.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the Food Corporation of India, Madras and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10,

of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Thiru T. Palaniappan shall be the Presiding Officer, with headquarters at Madras, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of the Food Corporation of India in dismissing Shri V. Kannan, Loading Mazdoor, from service with effect from 10-4-1974, was justified? If not, to what relief is Shri V. Kannan entitled?

[No. L-42012(39)/74-LR. III/D. II(B)]

New Delhi, the 22nd January, 1976

S.O. 703.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the arbitrator in the industrial dispute between the employers in relation to the management of the Cantonment Board, Subathu and their workmen, which was received by the Central Government on the 20th January, 1976.

ARBITRATION AWARD GIVEN BY SHRI J. L. WADHI, ASSISTANT LABOUR COMMISSIONER (CENTRAL) KANPUR AND ARBITRATOR UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947 IN THE MATTER OF DISPUTE BETWEEN THE MANAGEMENT OF CANTONMENT BOARD, SUBATHU AND THEIR WORKMAN REPRESENTED BY ALL INDIA CANTONMENT BOARD EMPLOYEES FEDERATION, AMBALA CANTT.

REPRESENTING THE MANAGEMENT :

Shri Balsaran Singh, Executive Officer, Cantonment Board, Subathu.

REPRESENTING THE WORKMAN :

Shri J. D. Bakshi, General Secretary, All India Cantt. Board Employees Federation, Ambala Cantt.

ARBITRATION AWARD

The Executive Officer, Cantonment Board, Subathu and All India Cantonment Board Employees Federation, Ambala Cantt. by an agreement dated 21-7-1975 agreed to refer an industrial dispute existing between them over the issue of alleged denial of proper scale of pay i.e. Rs. 350-900 to Dr. J. S. Thapar w.e.f. 1-2-1968 to my arbitration under Section 10A of the Industrial Disputes Act, 1947. The Government of India in the Ministry of Labour in pursuance of the provision of Section 10A(3) of the Industrial Disputes Act, 1947 published the said arbitration agreement vide Notification No. L-13012/(3)/75-D. II(B) dated the 4th August, 1975. The following specific matter in dispute was referred to my arbitration.

"Whether the action of the management of Cantonment Board, Subathu in denying Dr. J. S. Thapar the scale of pay of Rs. 350-900 w.e.f. 1-2-1968 is legal and justified? If not to what relief is he entitled?"

The parties were asked to file their written statement of claims and accordingly the written statement of the workman was received by me on 20-8-1975 and the management was received on 6-9-1975.

The hearing in this case was held on 23-9-1975 when the parties desired to file their written arguments on or before 28-10-1975. The same were received from the union on 29-10-1975 and the management asked for one month's time for submission of their written arguments and ultimately filed their written comments before me on 11-12-1975 at Chandigarh. The final hearing in this case was held on 11-12-1975.

The case of the workman was that Dr. J. S. Thapar is employed by the management of Cantonment Board, Subathu for the last about 20 years as sub-charge. He possesses qualifications of licenciate doctor and was appointed in grade of Rs. 150-380 which was revised to Rs. 350-600 from 1-2-1968. Dr. Thapar demanded the grade of Rs. 350-900 on the analogy that he has more than 10 years service at his credit and is eligible for that grade.

The union's contention is that Dr. J. S. Thapar is a licenciate doctor appointed in grade of Rs. 150-350 which was revised to Rs. 350-900. The rules of the State Govt. are applicable to the employees of the Cantonment Board as far as the pay scale are concerned and now the State Government has revised the grade of Rs. 300-600 to Rs. 350-900 for their employees and according to them Dr. Thapar is eligible for the grade of Rs. 350-900 as he has more than 10 years service at his credit.

In support of this union has made reliance on the letter of Director of Health Services, Himachal Pradesh letter No. 3-421/67 Med. Simla dated 13-7-1971 copy of which they have filed along with their written statement. The main gist of the letter is as under :—

"The scale of Rs. 350-900 is admissible to licenciate doctor in accordance with the Central Health Services Rules which is applicable to Himachal Pradesh, who has continuous service of 10 years or more at his credit. The Central Health Services Rules are applicable from its publication in Rajbhrat i.e. 9-9-1966."

The representative of the management of the Cantonment Board, Subathu in their written comments have raised preliminary objections and opposed the claim of the workman on merits.

The management have raised the following objections :—

- (i) that Dr. Thapar is not a workman.
- (ii) that Hospital is not an Industry.
- (iii) that the dispute does not fall under the definition of Section 2(k) of the I.D. Act.

The management should have raised these issues before the conciliation officer when this dispute was raised and even when the conciliation proceedings ended in failure should have not agreed for arbitration under Section 10A of the Industrial Disputes Act, 1947. The management should have waited for the Government's recommendation after the failure and opposed the case before the tribunal in case of reference. These belated objections after agreeing to arbitration are not justified and as such I reject their objections on the ground that the management themselves have agreed for arbitration.

The management contended that Dr. Thapar is working as Sub-charge in their hospital at Subathu. He was appointed in the scale of Rs. 150-380 which was subsequently revised to Rs. 350-600 as applicable to his counter-parts in the State Government. They further stressed that National Industrial Tribunal Award applies to persons in the employment of the Board possessing the same qualifications as laid down by the State Government. The award does not lay down grant of selection grade on completion of 10 years service in pay scale applicable to LSME doctors. This grade can be given only to the person eligible on the recommendation of the D.P.C. and on merits against some post in that grade. The Board has no post in this grade. Even when Dr. Thapar claimed for the grade of Rs. 350-900; his case was submitted to G.O.C-in Chief, the Command rejected the same.

According to the management Dr. Thapar can not claim the grade of Rs. 350-900 automatically even though he has more than 10 years service at his credit. This can only be given in case of his promotion to the post of G.D.O. (Gazetted) and not otherwise. The management have supported their contention on the letters issued by the Department of Health & Family Planning Government of Himachal Pradesh vide No. 3/421/67-Med. dated 17-4-1970 & 17-6-1971 which inter-alia mentions "that licenciate doctor having more than 10 years continuous service in the Medical & Public Health post at his credit, is eligible for promotion of General Duty Officer, Grade II (Gazetted) in the pay scale of Rs. 350-900. The licenciate doctors of this Department, (Himachal Govt. Health Department) who have more than 10 years service at their credit have/are being promoted

as G.D.OII in the Scale of Rs. 350-900 with the approval of the Government of India.

In view of the contentions put forward by both the parties it is to be seen whether Dr. J. S. Thapar is eligible for the scale of Rs. 350-900 or not? Both the parties have agreed that Dr. J. S. Thapar is a licentiate doctor and has put in more than 10 years of service. Another point of interest is that both parties have made reliance on the letters issued by the Director of Health Service, Himachal Pradesh and according to which the union has claimed that Dr. J. S. Thapar is eligible for the grade of Rs. 350-900 because of his having more than 10 years service. On the contrary the management have interpreted that according to these letters Dr. Thapar by merely putting in 10 years service as a licentiate Doctor did not become eligible for the grade of Rs. 350-900 as it has other pre-requisites vis-a-vis a licentiate Doctor having put in 10 years service is eligible for promotion to this grade but his grade cannot be revised automatically. The management further contended that the promotion is also not automatic it requires approval of the grade. The main gist of the letters which the parties have made reliance are produced below :—

The union had made reliance on the letter, the gist of which is "scale of Rs. 350-900 is admissible to a licentiate doctor in accordance with the Central Health Service Rules which is applicable to Himachal Pradesh who has continuous service of 10 years or more at his credit."

That the management has made reliance on the letters, gist of which are as under :—

- (i) There are no rules governing the promotion of P.J.M.S. doctors to P.C.M.S. II/I doctors and to place such doctors at par with the graduate doctors.
- (ii) Under C.H.S. Rules, 25% of the G.D.O., Grade II posts in the scale of Rs. 350-900 are filled up from amongst non-gazetted/licentiate doctors on the recommendations of D.P.C. by the Ministry of Health.

The gist of the 2nd letter on which the management has made reliance is "according to the practice prevailing in Himachal Pradesh and according to Rules 8(a) of the Central Health Service (Amendment) Rules, 1966, a licentiate doctor having more than 10 years continuance service in the Medical and Public Health Posts at his credit, is eligible for the promotion of General Duty Officer, Grade II (Gazetted) in the pay scale of Rs. 350-900. The licentiate doctors of this department who have more than 10 years service at their credit have been/are being promoted as G.D.O. II in the scale of Rs. 350-900 with approval of the Government of India."

From these letters it will be seen that the grade of Rs. 350-900 is not automatically given to a licentiate doctor but he is only eligible for promotion to that grade after completing 10 years of service as licentiate doctor. The promotion itself requires certain pre-requisite which must be fulfilled before he is promoted to a higher grade. Firstly the post must carry the higher scale for which promotion is to be made, secondly doctors must be promoted and lastly there should be sanction of the authorities for that post. In case of Dr. J. S. Thapar it is seen that he is the only doctor employed by the Cantonment Board authorities and on his making representation his case was referred to the authorities for that grade which was turned down. This shows that the authorities did not find Dr. Thapar suitable for promotion for that grade. Moreover the number of posts against which the licentiate doctors are to be promoted are 25 per cent as per the recommendation of the State authority and in this case there is only one post in the Cantonment Board which Dr. Thapar is holding. Until and unless the authorities up-grade this post and recommend Dr. J. S. Thapar for promotion he is not automatically eligible for this grade.

In view of the findings recorded above my conclusion is that the action of the management of Cantonment Board, Subathu in denying Dr. J. S. Thapar the grade of Rs. 350-900 is justified. As such Dr. Thapar is not entitle for any relief.

The Award is passed accordingly.

J. L. WADHI, Asstt. Labour Commissioner(C)
Kanpur, dated the 17th January, 1976.
[No. L-13012/3/75-D II(B)]

New Delhi, the 27th January, 1976

S.O. 706.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the arbitrator in the industrial dispute between the employers in relation to the management of the Cantonment Board, Subathu and their workmen, which was received by the Central Government on the 23rd January, 1976.

ARBITRATION AWARD GIVEN BY SHRI J. L. WADHI, ASSTT. LABOUR COMMISSIONER (CENTRAL) KANPUR AND ARBITRATOR UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947 IN THE MATTER OF DISPUTE BETWEEN THE MANAGEMENT OF CANTONMENT BOARD, SUBATHU AND THEIR WORKMAN PRESENTED BY ALL INDIA CANTONMENT BOARD EMPLOYEES FEDERATION, AMBALA CANTT.

Representing Management:

Shri Balsharan Singh, Executive Officer, Cantonment Board, Subathu.

Representing workman:

Shri J. D. Bakshi, General Secretary, All India Cantonment Board Employees Federation, Ambala Cantt.

ARBITRATION AWARD

The Executive Officer, Cantonment Board, Subathu and All India Cantt. Board Employees Federation, Ambala Cantt. by an agreement dated the 21st July, 1975 agreed to refer an Industrial Dispute existing between them over the issue of alleged denial of proper scale of pay i.e. Rs. 140-300 to Shri Roop Lal, Ex-Compounder w.e.f. 1-9-1969 to 23-5-73 to my arbitration under Section 10A of the Industrial Disputes Act, 1947 published the said arbitration agreement vide Notification No. L.13012/4/75-D.II.B. dated the 5th August, 1975. The following specific matter in dispute was referred to my arbitration :

"Whether the action of the management of the Cantonment Board, Subathu in denying Sri Roop Lal, Ex-Compounder the scale of pay of Rs. 140-300 w.e.f. 1-9-1969 to 23-5-1973 is legal and justified? If not, to what relief is he entitled?"

The parties were asked to file their written statement of claims and accordingly the written statement of the workman was received by me on 29th August, 1975 and the management asked for one month's time for submission of their written arguments and ultimately filed their written comments before me on 10th December, 1975 at Chandigarh. The final hearing in this case was held on 11-12-1975.

The case of Shri Roop Lal, Ex-compounder is that he was working as compounder with Cantonment Board, Subathu in the scale of Rs. 55-2-75. He worked with the Cantonment Board Subathu from 1-9-1969 to 23-5-1973.

The union's contention is that Shri Roop Lal was working as compounder with the Cantonment Board, Subathu and has been given the scale of Rs. 55-2-75 whereas his co-worker Shri Mani Ram dispenser, Kasauli having the same qualifications has been allowed the pay scale of Rs. 140-300 and according to the union this is a case of discrimination. They have further stated that Cantonment Board, Kasauli and Subathu are under the same Executive Officer and are in the same district of Himachal Pradesh. Their claim for the scale of Rs. 140-300 is based only on the analogy that his co-worker having the same qualifications is getting this grade and Shri Roop Lal should also be given the same grade.

The representative of the management of the Cantonment Board, Subathu in their written comments have raised preliminary objections and also opposed the claim of the workman

on merit. The management have raised the following objections :—

- (i) that Shri Roop Lal is not a workman within the meaning of section 2(s) of the Industrial Disputes Act, 1947.
- (ii) that Hospital is not an industry as such Shri Roop Lal will not fall under Section 2(j) of the Industrial Disputes Act, 1947.

These belated objections of the management are not justified as they themselves have agreed for the arbitration under Section 10A of the Industrial Disputes Act. They could have raised these objections before the conciliation officer at the time of conciliation proceedings and should not have agreed for arbitration at all. In view of these facts I reject the objections of the management on these grounds.

The management has contended that Shri Roop Lal was appointed as dispenser (un-qualified) in the scale of Rs. 55-2-75 w.e.f. 1-9-1969. According to the Memorandum of Settlement, where a Cantonment post is directly equated to the State Government post, the pay scale of Rs. 140-300 will be admissible only if the incumbent possessed the same technical/academic/service qualifications as are prescribed by the State Government for the equated post in the State Govt. The Himachal Pradesh Govt. in which Subathu Cantonment is situated has prescribed qualifications for the post of a dispenser (qualified) :—

- (i) Matric.
- (ii) Trained as a compounder from a recognised Institution or from a compounder's training class.

Since the applicant is neither Matric nor a trained compounder from any recognised institution or undergone training from a local compounders' class, The qualification which Shri Roop Lal possesses is that of Pharmacist which only entitles to run a Chemist Shop as such he is not entitled to the grade of Rs. 140-300 which is only meant for qualified compounders. He has been given this grade of Rs. 55-2-75 of un-qualified compounder.

In view of the contentions put forward by both the parties it is to be seen whether Shri Roop Lal, ex-compounder is eligible for the scale of Rs. 140-300 or not? The analogy on which the union has put forward their claim is that another employee Shri Mani Ram, dispenser working in the Cantonment Board, Kasauli having the similar qualification has been given the grade of Rs. 140-300. The Memorandum of settlement entered between the employer and the employees provides that "where the Cantonment post is directly equated to the State Government post the pay scale will be admissible only if the incumbent possess the same technical/academic/service qualifications as are prescribed by the State Government for the equated post in the State Govt. where the Cantonment Board employees does not have the said qualifications he will continue to get this scale to which he was entitled according to the N.I.T. Award. Where the Cantonment Board post is indirectly equated to State Government post, he will be entitled to the pay scale of the qualification prescribed if any, by the Cantonment Board at the time he was appointed to that post. In this case the post of compounder has been directly equated as such Shri Roop Lal who does not possess the qualifications laid down for the post of compounder. i.e. Matric and trained as compounder. Shri Roop Lal does not possess either of these qualifications. He is having a certificate of Pharmacist

which does not make him entitle for this grade. He has been appointed as un-qualified compounder and has been given the scale of Rs. 55-2-75. Regarding Shri Mani Ram he has been in the employment of the Cantonment Board since long before the rules and qualification for this post were made. Particularly the scale of pay as recommended by the State Government come into existence some time in the year 1968. In the case of Shri Roop Lal who has been appointed only in the year 1969 when these rules were in existence, he cannot be appointed in the scale prescribed for the qualified compounder and has been rightly given the grade of un-qualified compounder. The union referred to a judgement of Assam High Court in the case of Shri Rukmanilal Acharjee, Petitioner V/s. State of Assam and others, Civil Rule No. 346 of 1965 dated 8-2-1968 quoted in A.I.R. 1969 Assam and Nagaland. The gist of the judgment is reproduced as under :—

"Once the minimum educational qualification is relaxed and the candidate is appointed it is not open to the Government unless there is contract to the contrary, to use the want of minimum educational qualification to interfere with his prospects in service. When the scale of pay are revised, inso facto, the candidate is entitled to it as he had been appointed to the post holding it for a long period of years apparently nothing against him in the discharge of his duties. When the revised scale introduces different pay for those with and those without the minimum educational qualification, the utmost that can be said about it is that it would only apply to new incumbents, who knowing the difference, accept the appointment. It certainly cannot be held to apply to persons already appointed holding the post and rendering the services".

The above judgment quoted does not go in favour of Shri Roop Lal, ex-compounder as he was appointed only in 1969 when these rules and revised scale of pay were already in existence. This judgment is in favour of Shri Mani Ram who has long service at his credit and was appointed before the rules came in existence. The management also referred the case of Shri Roop Lal to the Public Health department giving them the particulars of Shri Roop Lal, ex-compounder of his being appointed as un-qualified compounder and also were informed about the case of Shri Mani Ram who was given the pay scale of qualified compounder. The Director of Health Service, Himachal Pradesh clearly turned down the case of Shri Roop Lal and informed that he cannot be appointed as qualified compounder because he does not possess the requisite qualifications laid down for the post.

In view of the above findings I am of the opinion that the authority of Cantonment Board, Subathu are justified in their action in denying the grade of Rs. 140-300 to Shri Roop Lal, Ex-compounder. As such he is not entitle for any relief.

I pass the Award accordingly.

J. L. WADHI, Assistant Labour Commissioner(C)
Kanpur, dated the 20th January, 1976.

[No. L-13012/4/75-D II(B)]

HARBANS BAHADUR, Section Officer (Spl.)

प्रावेश

नई दिल्ली, 4 दिसम्बर, 1975

का० ग्रा० 707.—केन्द्रीय सरकार की राय है कि इससे उपाखड़ प्रतुसूची में विनिविष्ट विषयों के बारे में केरल मिनरल्स एंड मेटल्स लिमिटेड, मानैलकुलांगारा, किलोन डाकघर, केरल राज्य के प्रबन्धनन्तर से समझदू नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करता बांधनीय समझती है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14), की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7 क के प्रतीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संघ 2), मुम्बई को न्यायनिर्णयन के लिए निर्देशित करती है।

प्रतुसूची

क्या केरल मिनरल्स एंड मेटल्स लिमिटेड के संयंत्र पर्यवेक्षण — श्री वितेड वारेंडाइन, कोर्मन के लाए में प्रोत्तिप्रति और पुष्टि के पात्र हैं ? यदि हैं, तो किस तारीख से ? क्या केरल मिनरल्स एंड मेटल्स लिमिटेड के वित्ती — मिल्सी — श्री बी० प्राई० लेंगोन फेनिंडॉ वर्यवेक्षक के रूप में प्रोत्तिप्रति के पात्र हैं ? यदि हैं, तो किस तारीख से ?

[संघ्या एल-43011/5/75-डी-4(बी)]

ORDER

New Delhi, the 4th December, 1975

S.O. 707.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kerala Minerals and Metals Limited, Manailkulangara, Quilon Post Office, Kerala State and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, (No. 2), Bombay, constituted under section 7A of the said Act.

THE SCHEDULE

Whether Shri Wilfred Valentine, a Plant Supervisor of Kerala Minerals and Metals Limited is eligible for promotion and confirmation as a Foreman ? If so, from what date ?

Whether Shri B. I. Leon Fernandez, Electrician of Kerala Minerals and Metals Limited is eligible for promotion as a Supervisor ? If so, from what date ?

[No. L-43011/5/75-D. IV(B)]

प्रावेश

नई दिल्ली, 5 दिसम्बर, 1975

का० ग्रा० 708.—केन्द्रीय सरकार की राय है कि इससे उपाखड़ प्रतुसूची में विनिविष्ट विषयों के बारे में केरल मिनरल्स एंड मेटल्स लिमिटेड,

मानैलकुलांगारा, किलोन डाकघर, केरल राज्य के प्रबन्धनन्तर से समझदू नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांधनीय समझती है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14), की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7 क के प्रतीन गठित औद्योगिक प्रधिकरण (संघ 2), मुम्बई को न्यायनिर्णयन के लिए निर्देशित करती है।

प्रतुसूची

क्या श्री पी० दिवाकरन, जो केरल मिनरल्स एंड मेटल्स लिं०, में सहायक कैमिस्ट हैं, उनकी अद्यतात्मों तथा कार्य की प्रकृति को ध्यान में रखते हुए, उपकर वेतनमान के पात्र है ? यदि है, तो ऐसा वेतन-मान क्या होना चाहिए और वह वेतनमान उन्हें किस तारीख से विद्या जाना चाहिए ?

[संघ्या एल-43011/4/75-डी-4(बी)]

नन्द साल, अधिकारी (विषेष)

ORDER

New Delhi, the 5th December, 1975

S.O. 708.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kerala Minerals and Metals Limited, Manailkulangara, Quilon Post Office, Kerala State and their workmen in respect of the matters specified in the Schedule hereto annexed ;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, (No. 2), Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether Shri P. Diwakaran, Assistant Chemist, in the Kerala Minerals and Metals Limited, is eligible for a higher scale of pay, considering his qualifications and nature of work ? If so, what should be such scale of pay and from what date he should be given that scale ?

[No. L-43011/4/75-D-IV(B)]

New Delhi, the 22nd January, 1976

S.O. 709.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of Kalyanrama Mica Mine, Kalichedu, Nellore District and their workman, which was received by the Central Government on the 21st January, 1976.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT :

Sri T. Narasing Rao, M.A., LL.B.,
Industrial Tribunal,
Hyderabad.
Industrial Dispute No. 32 of 1975

BETWEEN

Workmen of Kalyanrama Mica Mine,
Kalichedu, Nellore District.

AND

The Management of Kalyanrama Mica Mine,
Kalichedu, Nellore District.

APPEARANCES :

Sri P. Ramakotiah, President, A. P. Mica Labour Union for Workman.
Sri V. Rajgopal Reddy, Advocate for Management.

AWARD

The Government of India, Ministry of Labour through Notification No. I-28012/1/75-D-IV(B) dated 22nd July, 1975 referred the Industrial dispute between the employers in relation to the Management of Kalyanrama Mica Mine, Kalichedu, Nellore District and their workman under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 (which would hereinafter be called the Act) for adjudication by the Tribunal on the following issues :

"Whether the action of the management of Kalyanrama Mica Mine, Kalichedu, Nellore District in dismissal Shri Valluri Sankara Reddy, Hoist Driver with effect from 22-7-1974 was justified ? If not, to what relief is the said workman entitled ?"

2. The reference was registered as Industrial Dispute No. 32 of 1975 and notices were directed to the workman and to the Management. The workman filed a claims statement inter alia alleging that he joined the Mine on 29-11-1965 as a Driver and has been working very hard but the wages paid to him were too low. Therefore, he joined the Andhra Pradesh Mica Labour Union, Gudur along with the other workers to get his grievances redressed. The Union is said to have addressed a number of letters to the Management and to the Labour Officers with regard to the enhancement of their wages. This workman is said to have been elected as the member of the Working Committee. He also participated with his co-workers in hunger strike for the redressal of various grievances of the workmen. Thus the workman is said to have been singled out for victimisation for his trade union activities. On 17-6-1974 while working in the first shift as the Hoist Driver, though he was working according to the signals of the Bellman he is said to have been found fault with for over-winding the truck. It is denied that he dragged the skip without any signals from below. The job performed by him is said to be a technical one and that the Driver on the surface and the signaller in the mine below are said to be equally responsible for performance of that job. Though it is admitted that on the said date the truck struck into the muck, the workman was not to be blamed. It is contended that as best it may be a technical error and though it caused a delay of one hour in the operation, the workman cannot be blamed for that. Even the enquiry conducted against the workman is said to be violative of principles of natural justice as the said enquiry was conducted in a hurry and the workman was not given opportunity to examine his witnesses. The dismissal order passed against him therefore is said to be unjust. At any rate the punishment awarded to him in view of his long service is said to be severe and harsh. The action taken by the Management is said to be in no way conducive to

industrial relations and harmony. He thus prayed for his re instalment with full back wages as he is un-employed since the date of his dismissal.

3. In the counter filed by the Management it is alleged that mining is a hazardous industry and the job of the workman i.e. hoisting involves removal of muck and debris from the pit bottom. This hoisting is said to be regulated by code of signals. The main operation consists of drilling and blasting the face of the working point resulting in the release of muck and debris. Unless all the muck and debris are removed the face will not be ready for further work. The muck accumulated at the working face is said to be brought to the loading point so as to load it into the skip. The hoist driver should be capable of landing the skip exactly to the loading point so that the skip may be filled with muck by the loaders. Whenever the hoist driver is in doubt he should stop the skip and wait for the signals from the loading point below. Failure to act as per the signals is said to result in serious accidents. On 17-6-1974 at about 9.00 a.m. while lowering the skip the workman is said to have recklessly wound the hoist with result that the skip went beyond the loading point and rammed into the muck heap and it was caught in it. Without waiting for further signals the workman is said to have pulled up the skip which on account of being caught in the muck got derailed and fell side-ways. It is however alleged that fortunately no one was injured and the hoisting work was stopped, and this caused delay of one hour in starting the hoisting again. It is thus alleged that the action of the driver-workman was fraught with danger, and this sort of negligence is only a repetition of his performance on 8-6-1974 which resulted in damage to the skip and caused dislocation of work for 1½ days on the prior incident the workman is said to have been let off with a warning for the future. But this repetition again on 17-6-1974 is said to be indicative of his negligence, in utter disregard of Rules and Regulations. In the enquiry held under 10(2) of the Mines Certified Standing Orders the workman is said to have been given full opportunity to defend himself. The enquiry is said to have proved the negligence of the workman for which he neither expressed regret nor gave any undertaking against future repetition. The Management, it is contended, was therefore forced to take the extreme step of dismissing the workman from service. It is denied that the action taken against the workman was on account of his trade union activities. In the circumstances the question of his reinstatement, it is contended, does not arise.

4. The parties entered into evidence. The workman examined himself as W. W. 1 and also relied upon Exs. W1 to W6 by way of documentary evidence.

5. At the stage of rebuttal the Management reported a settlement dated 24-11-1975 and filed a Memo to that effect in the Tribunal. That Memo is signed by the representatives of the Management as well as by the President, General Secretary of the Mine Labour Union, Gudur and also by the workman. Notice of this Settlement was directed to the workman and his representative for purpose of its verification though there is no provision under the I.D. Act analogous to Order XXIII Rule 3 of the Code of Civil Procedure. But inspite of the service of notice neither the President who conducted the case on behalf of the workman nor the workman himself appeared before the Tribunal. Having regard to the terms of Settlement which would be adverted to hereafter the absence of the workman and his representative only points to the fact that such a Settlement has been arrived at. The Management was also heard in this regard. The only point is that whether the Settlement can be said to be just and fair so that it could be adopted as the basis of an award. Under the Settlement it is agreed that workman would be taken back into service with continuity of service from 17-6-1974. The Management also agreed to pay six months wages as ex-gratia. It is further stipulated that the workman would join service on 1st December, 1975. Having regard to the above terms it can also be said that by this date the workman joined the duty. Since he is given continuity of service and also six months wages the Settlement can only be said to be only fair and just and in the circumstances it can as well form the basis of an award.

Award is accordingly passed in terms of the Settlement. A copy of Settlement be enclosed to this Award.

with sub-rule (5) of the rule 2 of the Limestone and Dolomite Mines Labour Welfare Fund Rules, 1973 and in partial modification of the notification of the Government of India in the Ministry of Labour No. A. 11011/2/75-MV, dated the 11th November, 1975, the Central Government hereby appoints Shri K. D. Hajela, Limestone and Dolomite Mines Welfare and Cess Commissioner, in the States of Bihar, Uttar Pradesh, Haryana and Jammu and Kashmir with headquarters at Karma (Bihar), as Limestone and Dolomite Mines Welfare and Cess Commissioner, for the purposes of the said Act in the State of Himachal Pradesh also.

[No. S. 23012/1/75-MV]
C. R. NIM, Under Secy.

New Delhi, the 29th January, 1976

S.O. 712.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal-cum-Labour Court No. 3 Dhanbad in the industrial dispute between the employers in relation to the management of (1) Bright Kusunda Colliery, P.O. Dhansar (2) Central Kujama Colliery P.O. Jharia and (3) Simlabahal Colliery P.O. Jharia Distt. Dhanbad and their workmen which was received by the Central Government on the 24th January, 1976.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. 3. DHANBAD**

Reference No. 13 of 1970

Presiding Officer—Shri S. N. Johri, B.Sc., I.I.M.

PARTIES :

Employers in relation to the managements of (1) Bright Kusunda Colliery, (2) Central Kujama Colliery and (3) Simlabahal Colliery,

AND

Their workmen represented by the Secretary, Krantikari Koyala Mazdoor Sangh.

APPEARANCE :

For Employers—Shri P. K. Bose, Advocate by employers.

Shri S. S. Mukherjee, Advocate by B.C.C. Ltd., & Simlabahal Colliery.

For Workmen—Shri G. Prasad, Advocate.

Dated. Dhanbad the 19th January, 1976

AWARD

This is a reference made by the Government of India in Labour Ministry vide its Order No. 1/26/69-LRJI dated 24-1-1970 specifying the following dispute for adjudication :

"Whether the managements of (1) Bright Kusunda Colliery, P. O. Dhansar, District Dhanbad; (2) Central Kujama Colliery, P. O. Jharia, Distt. Dhanbad; and (3) Simlabahal Colliery, P. O. Jharia, Distt. Dhanbad are justified in not introducing wage structure and other benefits increased with the recommendations of the Central Wage Board for the Coal Mining Industry as accepted by the Government of India in their resolution No. WB-16(5)/66 dated 21-1-1967? If not, what should be the wage structure and other benefits in respect of the workmen concerned and from which date?"

2. The short history of the case is that the said recommendations of the Coal Wage Board as accepted by the Government of India were not implemented by 11 Collieries, Krantikari Koyala Mazdoor Sangh, Dhanbad under their letter dated 13-11-1969 made a representation to the R. L. C.

raising and specifying the demands while making it clear that the workers belonging to Sangh would go on strike in those 11 Collieries if the demands were not met by the end of November, 1969. R. L. C. wrote back to the Sangh on 27-12-1969 requesting it to abstain from precipitating the matter and forwarding the same to A. L. C. for conciliation proceedings. Conciliation failed with respect to Bright Kusunda Colliery, Central Kujama Colliery and Simlabahal Colliery only. Consequently the matter was submitted to the Central Govt. which resulted in the present reference. The demands raised by the Krantikari Koyala Mazdoor Sangh as incorporated in their letter dated 13-11-1969 addressed to the R.L.C., Dhanbad were as follows :-

- (1) V.D.A. as per consumer price index for essential commodities was claimed with retrospective effect @ 1.29 paise per day instead of Rs. 0.78 paise per day which was being paid by the three employers.
- (2) Sick Khoraki @ half wage for 30 days or full wage for 15 days in a year as per Wage Board recommendations should be paid to the workers.
- (3) Most of the Wagon Loaders should be regularised and paid proper wages of their own categories; and
- (4) The annual increment should be given with retrospective effect.

3. It will be useful to mention at this stage that as per letter of the Conciliation Officer the management of Bright Kusunda Colliery did appear in the conciliation proceedings though he was not prepared to settle the dispute either through arbitration or through adjudication. The representatives of the other two collieries did not attend at all.

4. The case of Bright Kusunda Colliery is that it is a small concern employing only 250 workmen and having monthly raising of about 2500 tonnes. The colliery had been suffering losses of the last several years as also in 1967 i.e. at the time when the Central Wage Board recommendations were made. The colliery was a small struggling concern and inspite of adverse financial position and accumulated heavy losses for the past several years the management did introduce the wage structure concerning its workmen as per recommendations of the Central Wage Board with effect from 15-8-1967. This added the financial burden and the management now pleads its inability to pay V.D.A. or annual increments as recommended by the Wage Board. Such payments if forced would convert the colliery into an uneconomic unit and it will have to be closed down.

5. The case of Central Kujama Colliery is that it was, after voluntary amalgamation composed of 5 collieries namely (i) Central Kujama Unit of Central Kujama Coal Concern, (ii) Pandebera Unit of Pandebera Colliery Co., (iii) Kujama Pandebera of Khas Busra Coal Concern (P) Ltd., (iv) Pure Kujama Unit of the South Busra Coal Co; and (v) Kujama Unit of K. S. Nanji's Kujama Co. The first two and the last two were partnership concerns while the third Company was a private limited company. Inspite of the fact that the units were owned by different Companies as said above they were being run by one management and the wages of the workmen were uniform for all the units. Therefore merely picking up Central Kujama unit would mean introducing discriminatory wages for different units. The Kujama Pandebera Unit and Pandebera Unit suffered losses during the last several years and that position continued since 1966 till the date of the reference. Since the amalgamation of the companies consolidated accounts were maintained for all the units and this amalgamated unit was either running at loss or earning no profits. Pure Kujama and K. S. Nanji's Kujama were closed units. It was alleged that this employer was incapable of acceding to the demands because of its financial position. The reference was alleged to be bad because the dispute never came to be directly raised by the Union before the management. On 12-3-1970 the management entered into an agreement with the sponsoring union and the dispute was resolved accordingly with respect to V.D.A. and Wagon Loaders. The employer alleged that it had already implemented recommendations regarding sick khoraki and annual increment. There is thus no dispute left for further adjudication. The colliery raised hardly

tonnes of coal per month. Their incapacity to fully implement the Wage Board recommendations had already been recognised by the union in the aforesaid agreement. Many other collieries had not implemented the Central Coal Wage Board recommendations, hence it was discriminatory to insist upon this small unit to implement the same in toto. Joint reference with respect to three different employers was bad.

6. The employers of Simlabahal Colliery filed a written statement challenging the representative character of Krantikari Koyala Mazdoor Sangh with respect to workmen employed in this colliery. It was alleged that the reference was bad in law and the question framed was misconceived and ultravires. The Tribunal was alleged to be incompetent to entertain the same. No industrial dispute existed between the employers and their workmen and the subject matter of the reference was contrary of demands dated 15-11-1969. The management introduced the wage structure according to the Wage Board recommendations as accepted by the Central Government and there was thus no scope for adjudication. Fresh determination of wage structure was alleged to be beyond the jurisdiction of this Tribunal.

7. Simlabahal Colliery and Central Kujama Colliery were taken over by the Central Government under the Coal Mines (taking over of management) Ordinance, 1973 with effect from 31-3-1973. Tat Ordinance was thereafter replaced by an Act of 1973. Then came the Nationalisation Act, 1973 (Act No. 26 of 1973) and management came to be vested in B.C.C. Limited as a Government Company. The vesting was absolute and free from all encumbrances. B.C.C. Limited was never a party to the said dispute and had nothing to do with past liabilities. The workmen were therefore not entitled to any relief against B.C.C. Ltd.

8. The case of the workmen is that the coal was controlled commodity when the Central Wage Board recommendations were made and the unanimous part of the recommendations were accepted by the Government of India by their resolution dated 21-7-1967. The employers demanded increase in the prices of all grades and qualities of coal as a condition precedent for implementing the Government resolution but the Government declined to accept the demands. The coal was ultimately decontrolled and the price was left to be determined by working of the economic forces of the market. This resulted in rise of prices. The collieries approached the Industries to which coal was being supplied in bulk for increase in the prices. The bulk purchasers conceded to some extent and instead of price rise of coal the employers refused to concede to these demands. About 80% of the coal was being sold in the private sector. There were thus good financial prospects and they were getting better everyday with minor and temporary variations. It was therefore incorrect to speak of financial incapability for fully implementing the Wage Board recommendations. The said agreements with Krantikari Koyala Mazdoor Sangh and waiver of the claims the acceptance on the part of union the financial incapability of the employers in the matter of implementation of the Wage Board recommendations with respect to these demands has been denied by the union. The alleged incapacity of the involved collieries in the region could not be the determining factor in the implementation of industrywise minimum wage scales recommended for that particular region. The management has denied the said bright financial prospects for good earning due to the alleged rise in coal price.

9. Workmen had filed 4 documents while some documents were filed on behalf of Bright Kusunda Colliery. They were exhibited. No other party produced any other documents or oral evidence. On the date fixed for arguments the workmen remained absent and were not represented. Similarly the old managements did not show any further interest in the case. Only B.C.C. Ltd. was represented by Shri S. S. Mukherjee, Advocate, hence only his formal arguments relating to the liability or otherwise of B.C.C. Ltd., were heard on merits and for the proper disposal of this reference.

10. Except three documents of the workmen which have been admitted, the other documents of the workmen as well as all the documents filed on behalf of the management were marked because the opposite side admitted them only to

the extent that formal proof was dispensed with. The difference between admitting the documents without reservation and admitting the documents only for the purpose of dispensing of the formal proof is that in the former case the party admitting the documents also admits the contents and is thereby estopped from either pleading or leading any evidence against those contents. It becomes on admitted fact. In the latter case the other side only dispenses with the formal proof of the documents i.e. it does not insist on the other side to lead oral evidence for proving those documents formally but at the same time reserves its right to rebut the facts appearing in those documents. Unless those facts are rebutted these documents whose formal proof has been dispensed with will be deemed to be proving the facts contained in them. As in the present case no oral evidence has been produced and the workmen took no steps to rebut the contents of the documents of the management whose formal proof was dispensed with, the facts stated in the documents exhibited on behalf of the management will have to be taken as proved and subject to the assessment of their intrinsic value the contents will be deemed to be correct for the purpose of deciding this reference.

11. The plea of financial incapacity needs first to be considered. In Management of Kirlampudi Sugar Mills Ltd. Vs. Industrial Tribunal 1971-II L.L.J. 491 (500-501) S.C. Hon'ble Jagan Mohan Reddy J. observed that—

"In our view there is warrant for submission that notwithstanding the fact that a fair wage has been fixed by the Board (Wage Board recommendations) which would be applicable to all the units in the region for which wage has been fixed, it may be open for any particular unit to plead that in fact its financial position is not such that it can bear the burden of implementing the recommendations."

Thus the settled law is that such a plea of financial incapacity of a particular unit is entertainable for examination by the Tribunal even when the Wage Board recommendations have been generally accepted by the Government and adopted by various other units.

12. For proving the financial incapacity the management of Bright Kusunda Colliery have filed various datas and returns. They need closer examination. The Supreme Court laid down the yardstick as to how the profit and loss accounts shall be examined in such cases and observed in the aforesaid case of 1971-II L.L.J. 491 that :—

"Of course the justification of the plea of want of financial incapacity will depend upon the evidence of its financial position over a period of years, to show that it cannot bear the burden or that it is only a temporary fortuitous situation with every possibility of financial improvement in the immediate future".

In Unichem Laboratories Ltd. Vs. Workmen 1972—I L.L.J. 576 S.C. Hon'ble Vaidilingam J. considered the prospects of the industry and the existence and extent of the profits of the industry as relevant considerations for finding out the financial capacity.

13. In computing the profits the figure of gross profits calculated without deducting taxes, depreciation and development rebate should be the criterion. It was so held in Ahmedabad Mill Owners Association Ltd. Vs. Textile Labour Association 1966—I L.L.J. 1 S.C. Similarly in Indian Link Chain Manufacturers Vs. Workmen 1971-II L.L.J. 581 (594) S.C. reliance was placed on the leading case of Gramophone Co. Limited Vs. its workmen 1964-II L.L.J. 131(136) S.C. and it was laid down that profits are to be computed prior to the deductions for depreciation and other reserves. The basic principle behind this manner of calculation is that the wages are the first charge on the gross profits of the company and should have priority over all other deductions.

14. Having all these points in view the documents produced by the employers of Bright Kusunda Colliery need a closer scrutiny—closer for finding out whether the apparent financial position borne out by these papers is the real one.

15. Exts. M-1, M-1/1 & M-1/2 are the profit and loss accounts for the years 1965, 1966 & 1967 respectively. The accounts for the year 1965 purport to show a loss of Rs. 27530.43 paise. However if taxes amounting to

Rs. 13218.78 P. rebate commission Rs. 34093.56 paise and depreciation Rs. 10217.23 paise are taken out of consideration for the purposes of calculating the gross profits the picture changes considerably and the gross profit earned by the company comes to Rs. 29999.14 paise.

16. Similary the profit and loss account for the year 1966 Ext. M-1/1 which indicates a loss of Rs. 29315.41 paise stands converted into a profit of Rs. 25125.17 paise if the rebate commission, taxes and depreciation are thrown out of consideration. In the same way for the year 1967 the net loss of Rs. 25129.88 paise as shown in Ext. M-1/2 stands reduced to a nominal loss of Rs. 7219.65 if taxes and depreciation amounts are thrown out of consideration. In all these three years the position of earned gross profits will show a marked improvement if the opening reserves are also thrown out of consideration as was observed in Indian Link Chain Manufacturers Vs. the workmen 1971-II L.L.J. 581 (594) S.C.

17. The position can further be judged with reference to other datas made available by the annual returns for the years 1967, 1968 & 1969 Exts. M-2, M-2/1 & M-2/2 respectively as well as by the monthly raisings and labour strength figures calculated in the chart Ext. M-3. The relevant datas may be summarised in the following chart :—

Sl. No.	Class	1968	1969	1970
1.	Employed labour strength	2940	2584	1764
2.	Average number of labour employed during a month	229	197	160
3.	Total raisings.	34086	31156	17260
4.	Value of the coal raised.	566500	715806	654276

This chart will show that the number of labourers employed in 1970 was virtually half the number employed in 1968. The Coal raisings were also reduced in the same proportion. Still the value of the raised coal increased to such an extent that even the coal arisings which were reduced to half in 1970 came to be valued much more than the value of the raisings in 1968. To say otherwise the working capacity and the raisings showed progressive decline yet the production in terms of value recorded a marked increase. This must have been the result of the steep rise in coal price after the decontrol of that commodity. The Industry was thus not having a bleak future. Profit and loss accounts for the year 1969 & 1970 have not been produced which should have necessarily given a very different and hopeful picture. The declining trend in the year 1968 thus appears to be only a fortuitous situation but there appears to be very possibility of financial improvement and brighter prospects.

18. However even with all these bright prospects and profit making if the industry is required to pay VDA @ Rs. 1.29 per worker per day, it will be rendered an uneconomic unit. Three years' average of the number of workmen employed per day comes to about 195 and on an average they have worked for 305 days in a year. If the difference of VDA between 1.29 as demanded and 0.78 as paid is multiplied with the number of days and employees the total added expenditure due to this increased V.D.A. would come to about Rs. 30,000. In none of these years the gross profit made by the industry could touch that figure. If such increase is granted the employer will be driven out of the business.

19. It has been observed by Hon'ble Bhagwati J. in Express Newspaper (P) Ltd. Vs. Union of India 1961—I L.L.J. 339(367) S.C. and by Vaidyalingam J. in workmen Vs. the employers of Sri Bajrang Jute Mills Limited 1970—II, L.L.J. 6 (11) S.C. that while considering the capacity of the employer care should always be taken to see that fresh burden so imposed is not such as to drive the employer out of business

20. The other documents except Exts. M-5 & M-5/1 relate to balance sheets and profit and loss accounts of Khas Busra Coal Concern, Central Kujama Coal Concern and Pandebera Colliery Co. They relate to the years 1968-70. The schedules referred to in the balance sheets of Central Kujama Coal Concern have not been filed along with balance sheets. Moreover the balance sheet of Central Kujama Coal Concern for the year 1969 has not been filed. Trading account has also

not been filed without which cross checking is not possible. Further these accounts appear to have considered the reserves carried forward balances of profit and loss, development rebate reserves carried forward from year to year, taxes and advances made to other sister concerns. If those items are excluded as per principles mentioned above, it will be clear that the financial picture is not so bleak as painted by these concerns in their written statements.

21. In case of Khas Busra Coal Concern the taxes of Rs. 4,964 and depreciation on fixed assets amounting to Rs. 24,078 have been taken into consideration. If this amount of about Rs. 29,000 is added to the net profits of Rs. 22,039 the gross profits will go upto about Rs. 50,000 for the year 1968. Similarly for the year 1969 Rs. 3,972 have been shown towards payment of taxes and Rs. 23,119 has been shown as depreciation on fixed assets. If these amounts are added to the net profits the gross profits will come to about Rs. 79,000. Similarly for the year 1970 the taxes have been shown to the extent of Rs. 3,146 and the depreciation on fixed assets to the extent of Rs. 20,942. If this amount of about Rs. 24,000 is added the gross profits will go much higher. This year the company did not show anything towards sale of coal and coke and by this deliberate commission in the balance in the profit and loss account the real position of profit impossible to be ascertained. In this way the position of Khas Busra Coal Concern does not appear to be so bleak as painted in the written statement.

22. The profit and loss accounts of Central Kujama Coal Concern with balance sheets for the year 1968 & 1970 and the profit and loss account without balance sheet for the year 1969 have been filed. They are respectively Exts. M/3 to M-4/5. In this case also the trading accounts have not been filed without which cross checking appears to be difficult. In the profit and loss accounts of 1968 taxes to the extent of Rs. 14,600 and depreciation to the extent of Rs. 34,784 have been shown. Moreover development rebate reserved for this year has been kept as Rs. 5,432 with the previous balance of development reserves of Rs. 97,476.05 If all these amounts are added to the net profits which have not been shown in the balance sheet Ext. M-4/3 the position of gross profits would appear to be a very happy one.

23. In the year 1969 net profits transferred to the Partner's capital account amount to Rs. 55,597.48. Besides capitalising this share capital there must have been some other profit for running the industry. That has not been shown. The profit and loss account does not show the total. It is therefore not possible to carve out a definite picture of gross profits for the year 1968 but it is evident that there must have been profits at least to the extent of Rs. 55,597.48 which were transferred to the share capital of the share holders.

24. With respect to the year 1970 depreciation amount has been shown at Rs. 28,217 and taxes to the extent of Rs. 19,216. This amount of about Rs. 47,000 if added to the net profits which have not been shown in the profit and loss account it will make the picture very bright because already Rs. 45,645 have been transferred towards the share capital of the share holders. The balance sheet for the year 1970 discloses that Rs. 2,69,041.64 have been kept in the current account with M/s. Pandebera Colliery Co. It appears that through this book transfer an attempt has been made to hide the real position. The balance sheet of Pandebera Colliery Company for the year 1970 has not been filed from which the real position about the transfer of this amount to the current account of Pandebera Colliery Company could be cross checked. Thus in this case also the company appears to be either earning huge profits or they have tried to suppress one document or the other in order to hide the real position.

25. The balance sheet of 1968 of Pandebera Colliery Company Ext. M-4/6 goes to show that an amount of Rs. 2,08,989.72 has been kept in the current account with Khas Busra Coal Concern Limited and an amount of Rs. 3,950 with South Busra Colliery Co. The balance sheet of Khas Busra Coal Concern does not show any such amount to its credit coming from Pandebera Colliery Company. This balance sheet of Pandebera Colliery Co. does not declare profits in the year 1968. It is not accompanied by profit and loss account of that year nor the trading account has been filed. It is therefore not possible to ascertain the correct position.

26. In the year 1969 depreciation to the extent of Rs. 2,376 and taxes to the extent of Rs. 5,796.74 have been added. The account indicates that there was a net loss of Rs. 24,991 which was transferred to Partner's account. The closing stock position has not been given. The balance sheet of this year also goes to show the current accounts with M/s. Khas Busra Coal Concern and South Busra Colliery Company almost to the same extent as in 1968. There is no cross entry in the balance sheet of Khas Busra Coal Concern in the year 1969. This amount of Rs. 2,00,000 thus appears to have been kept aside. It confuses the position with respect to the position of net profits. The profit and loss account for the year 1970 is not associated with the balance sheet and the trading account. This again indicates a loss and position cannot be faithfully ascertained. However even if what has been produced is believed at the most the position of Pandebera Colliery Company may indicate that it was not running in a happy position. But with respect to the other two sister concerns it could be said that they were earning sufficient profits. There is nothing to show as to how many workmen were employed by these units and how many days in the year they worked, so that it is not possible to calculate the impact if increased V.D.A. is allowed.

27. These amalgamated companies cannot be given the benefit of doubt of their own defaults in proving their over all financial incapacity or the incapacity of Central Kujama Colliery to the hilt. The burden was upon them. They have failed to discharge the same and it cannot be said that they together were or the concerned Colliery was financially incapable to implement the Coal Wage Board recommendations in Central Kujama Colliery.

28. In the written statement of Central Kujama Colliery it was urged that after amalgamation it was only one of the five units of Central Kujama Coal Concern. If rates are revised with respect to one unit it will introduce discrimination. No dispute was raised with respect to the other units hence no reference could be made about them. Separate accounts show that this colliery constitutes an independent unit even after the amalgamation of proprietorship. There is no question of discrimination if adjudication is sought with respect to one independent unit without incorporating its sister concerns. The point does not carry much force.

29. It has been alleged on behalf of this employer that the dispute about implementation of Wage Board recommendations with respect to the introduction of VDA and sick Khoraki etc. was never raised by the workmen or the union with it hence the reference was not maintainable. There appears to be sufficient strength in this plea as there is no evidence nor any allegation that such a dispute was ever raised with the employer. The union appears to have directly raised that dispute before R.L.C. where this employer did not turn up for participating in conciliation proceedings. Thus even indirectly the employer was not apprised of the demand and there is no evidence that he ever rejected it. In *Sindhu Resettlement Corporation Ltd. Vs. I. T., 1968—J. L.L.J. 834 (839)* S. C. held per Hon'ble Bhargava J. that the reference was incompetent because no demand was made by the workmen to the employer and the demand by workmen directly made to the Government that the dispute should be referred could not become an Industrial Dispute. In the light of this pronouncement there is nothing to show that industrial dispute ever 'existed' or was apprehended hence reference with respect to this employer was not competent.

30. The other plea that after the reference the union entered into a settlement with this employer on 12-3-1970, has been denied by the union in their written statement and there is no evidence to prove any such agreement or settlement. Similarly Union's alleged acquiescence in the incapacity of this employer is also not proved.

31. Simlabahal Colliery has raised the plea that Karantikari Koila Mazdoor Sangh was not competent to raise the dispute as it did not represent the workmen of that Colliery; in fact it did not exist there at all. The burden was upon the union to have asserted and proved its representative character. In the absence of any evidence on the point the plea is upheld.

32. This employer again raised the plea that it had already introduced the wage structure as recommended by the Wage Board and as such no industrial dispute ever existed between him and the employees. This plea cuts across the assumption of non-implementation which forms the basis of the reference. Hence the burden was on the employer Company to prove implementation. No such introduction of Wage Board recommendations has been proved. The employer has failed to discharge the burden. This point and other similar vague points raising questions of jurisdiction etc. have no force.

33. Thus to conclude I may say that the employer of Bright Kusunnda Colliery was financially incapable of introducing V.D.A. etc. as per Wage Board recommendations and hence was justified in not introducing the same. No increase whatsoever can be suggested.

34. The reference with respect to Central Kujama Colliery is bad because no such dispute was ever raised by the union before the employer.

35. The reference is again bad with respect to Simlabahal Colliery because it is not proved that the union raising the dispute i.e. Krantikari Koila Mazdoor Sangh had any foothold or representative character so as to entitle it to espouse the cause of the workmen of that colliery for giving it the colour of an industrial dispute. The reference is answered accordingly.

S. N. JOHRI, Presiding Officer.
[F. N. 1/26/69-LR II]

S.O. 713.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Govt. hereby publishes the following award of the Central Government Industrial Tribunal cum Labour Court No. 3 Dhanbad in the industrial dispute between the employers in relation to the management of Giddi 'A' Colliery of National Coal Development Corporation Limited, P.O. Giddi, Distt. Hazaribagh and their workmen, which was received by the Central Government on the 21st January, 1976.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT NO. 3 DHANBAD
Reference No. 4 of 1970**

Presiding Officer : Shri S. N. Johri, B.Sc., LLM.

PARTIES :

Employers in relation to the Giddi 'A' Colliery of National Coal Development Corporation Limited, Limited, P.O. Giddi, Distt. Hazaribagh.

AND

Their workmen represented by Branch Secretary of National Coal Organisation Employees Association, Giddi, P.O. Giddi, Distt. Dhanbad.

APPEARANCE :

For Employers—Shri S. S. Mukherjee, Advocate.

For Workmen—Shri J. K. Bose, President of the Union

INDUSTRY : COAL

STATE : BIHAR.

Dated, Dhanbad the 15th January, 1976

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. 1/29/69-LRII dated 12-1-1970 projecting the following question for adjudication:

"Whether the management of Giddi 'A' Colliery of M/s. N.C.D.C. Limited was justified in not implementing their assurance to the workmen that if the strike of June-July, 1967 at this Colliery was called off and the

workers maintain peaceful condition at the colliery for the next two months, the management would treat the strike period as period of leave to the extent due to the workmen."

This reference was amended by another Order No. 1/29/69-LRII dated 3-3-1970 under which it was added that—

"If not, to what relief are the workmen entitled?" It was said in the Ministry's letter that this line was left out due to oversight.

2. It is not disputed that N.C.O.E.A. Organised the strike in the Colliery which lasted from 27-6-1967 to 27-7-1967. It was called off on 28-7-1967 following an agreement dated 27-7-1967 between the management and the N.C.O.E.A. representing the workmen. The relevant portion of Clause (2) of the agreement runs as follows :—

"As decided in the case of headquarter at Ranchi no wages would be paid to the employees for the period of strike. It has, however, been decided that if they return to work, normally was restored and peaceful conditions maintained, the management would take steps in about two months time for treating the absence from duty as leave as in headquarter. This decision has been taken solely to avoid break in service and consequent hardship to the employees. There may not be sufficient leave to the credit of daily rated/piece rated workers. The question whether something can be done with a view to avoid consequent hardship to such workers would be considered later if this is found feasible after some loss in production has been made good. The Union may also send their suggestions, if any, for consideration."

It is again not disputed that neither the wages for the period have been granted to the workmen nor steps have been taken for converting that period into leave due.

3. The Secretary of the National Coal Organisation Employees Association (N.C.O.E.A.) Giddi A Branch addressed a letter No. NCOEA/Giddi/69/86 dated 28-12-1969 to the Managing Director, N.C.D.C. Limited, Ranchi, Area General Manager (K), Barkakhana and Dy. Supdt. of Collieries Giddi A stating therein that the members of N.C.O.E.A. had decided to resort to direct action as decided earlier and communicated in their letter No. NCOEA/Giddi/69 dated 30-9-1969. The conciliation proceedings held by ALC (Central), Hazaribagh on 29-10-1969 ended in a failure. The Manager refused to talk to the Secretary Sri J. P. Singh who was declared as persona-non-grata vide AGM's letter dated 28-10-1969. Sri J. P. Singh threatened that he would remain on fast and give dharna from 1-12-1969 before the Office of the Dy. Supdt. of Collieries Giddi A, N.C.D.C. Ltd. A charter of 11 demands was attached to the letter under reference. He further informed that there might be general strike in time after 1-12-1969. Government was also informed along with other officers. Negotiations were arranged and they continued upto 22-12-1969 but no amicable settlement could be arrived at on the main issue of payment of wages for the strike period from 27-6-1967 to 27-7-1967. With the said dharna, that fast started and simultaneously conciliation proceedings also continued which were attended by the Colliery Manager, Giddi A on behalf of the management and Sri K. A. N. Nair, President of N.C.O.E.A. Giddi Branch. However the conciliation failed because the management expressed inability to concede to the demand for payment of wages for the strike period. After the receipt of the failure report the Government has made the present reference.

4. The management raised preliminary objections that :

- The amendment of the reference has vitiated the reference itself and atleast the amending order is illegal, ultravires, null and void.
- The reference is again bad because the order seeks adjudication on a dispute which was never raised by the workmen. They had raised the dispute of wages for the strike period and not the dispute of treating the period as leave due. This was manifest from the strike notice itself relating to the subsequent strike ; and
- It is alleged that according to the constitution of the Union, Secretary of the Giddi A

Branch had no locus-standi and was not competent to raise the industrial dispute or serve the strike notice. Sri J. P. Singh no longer remains an Office Bearer of the said Union and the dispute raised by him could not be considered as an industrial dispute on behalf of the body of the workmen.

5.(d) It was further alleged that even if the amendment of the reference order indirectly brought forward the question of wages for the strike period, the union had in the agreement dated 27-7-1967 specifically conceded and committed itself to the position that no wages would be paid to the workers for the strike period. The union was therefore barred by the principle of estoppel and waiver in so far as the question of wages are concerned. Coal industry had been declared as public utility service and that notification was in force during June-July, 1967. The strike was therefore illegal. It was again illegal because there was no compliance of the provisions of Section 22(1) of the I.D. Act. The strike notice dated 17-4-1967 was not a valid notice because the strike started after the lapse of six weeks of that notice on a date which had not been notified for strike. Sri J. P. Singh, Secretary of the Giddi Branch was not competent to serve such a notice under the constitution of N.C.O.E.A. Hence the notice dated 8-6-1967 was also invalid and could not legalise the strike because it did not amount to the compliance of Section 22(1) of the I.D. Act.

6. (e) Colliery Mazdoor Sangh had also given a notice of strike and after the failure of conciliation proceedings the question was referred to the Central Government. As the strike by N.C.O.E.A., commenced before the expiry of seven days from the date of receipt of failure report by the Central Government it was again in violation of Section 22(1)(d) of the I.D. Act and had rendered the strike illegal under Section 24(1)(i) of I.D. Act. The said strike was unjustified and the union leaders practically seized the office. Sri J. P. Singh started hunger strike and they indulged in various illegal activities resulting in the complete collapse of the work and consequent heavy loss in production. This loss never came to be covered by subsequent production and even after the resumption of work the workmen did not maintain peaceful conditions for two months as was envisaged in the agreement dated 27-7-1967. Some of the instances of such disturbances have been given by the management in its written statement. Thus even the conditions of the agreement have not been fulfilled which may entitle the workmen to the conversion of the strike period into leave due. No assurance to convert the period into leave was ever given in the agreement and as such the reference is based on incorrect presumptions. For these reasons also the reference is not maintainable.

7. (f) The reference is again alleged to be bad because it made no distinction between the monthly rated employees and daily rated or piece rated employees. Whereas monthly rated employees do earn leave, leave facilities for daily rated employees are very limited as per Certified Standing Orders, there being no provision for half pay leave or sick leave on half wages. The benefit in this respect which could be given to the monthly rated employees, was not available to the daily rated or piece rated employees. This distinction was clear in the agreement itself. It is again evident from the agreement that the question of leave etc. to the piece rated employees was left to be discussed between the union and the management which together wanted to evolve some formula. The management was therefore justified in not giving such relief to the workers and the strike being illegal the Tribunal also had no jurisdiction to grant any such relief.

8. The case of the workmen is that the preliminary objection had no force. The reference was valid and the Industrial Tribunal has the jurisdiction to adjudicate the industrial dispute which was raised in the very form in which the reference has been made. The justification to go on a strike and to give strike notice was taken by the Central Committee of the N.C.O.E.A. and Branch Secretary was only executing the same as Chief Executive of the Organisation on the spot. His acts as also the strike were not illegal and the workers did not indulge in any illegal activities during this strike. The agreement did incorporate a clear cut assurance and it is incorrect to say that the reference was based on incorrect presumption of the said assurance. Workers maintained peaceful conditions for two months after the agreement and it is

incorrect to say that the losses during the strike period were not recouped by subsequent heavy production and peaceful working of the labourers. The agreement envisaged granting of leave which clearly meant that it shall be leave with wages and not leave without wages. The workers are therefore entitled to wages as well. N.C.D.C. paid wages to the workers of Colliery Mazdoor Sangh for 26-6-1967, the date on which they had gone on strike. Refusing the same treatment to the members of NCOEA Union amounted to discrimination and unfair labour practice. For the faults of Sri J. P. Singh in his personal capacity the workers could not be victimized. There was no question of leave due. It was agreed that the period shall be treated as leave as a special case in order to maintain the continuity of service. It was in consequence of this agreement that the application filed for declaration of strike is illegal or withdrawn by the management unconditionally. Therefore it does not lie in the mouth of management to now come forward with a plea that the strike was illegal. The employer unjustifiably had refused to implement its commitment and the workers are entitled to the relief claimed.

Preliminary objections relating to the validity of the amendment of the reference, relating to estoppel and waiver arising out of settlement dated 27-7-1967 and relating to the plea that the Secretary of Giddi A Branch of the Union had no authority under the Constitution of the Union to raise the settlement. More so with respect to time rated and piece rated arguments. They are therefore dropped out of consideration.

However it was vehemently urged that the reference was bad because it was based on an incorrect assumption of assurance to convert strike period as leave due. No such assurance was ever given by the management at the time of settlement. More so with respect to time rated and piece rated workmen. This argument only calls for the interpretation of para 2 of the settlement dated 27-7-1967 reproduced above. It clearly spells out an assurance on the part of the management howsoever conditional it might be. Subject to the conditions mentioned therein the management had agreed that, 'it would take steps in about two months time for treating the absence from duty as leave as in the headquarters'. This assurance was irrespective of the workmen being a monthly rated, weekly paid, time rated or piece rated employees. The subsequent sentence that 'there may not be sufficient leave to the credit of the daily rated/piece rated workers' also indicates that if there was sufficient leave to their credit they will also be given similar type of benefit of conversion of period of strike into the leave due. With respect to piece rated and daily rated workmen who had no sufficient leave to their credit, there was again an assurance to find out ways and means to avoid consequent hardship to them. But the consideration of their cases was postponed till 'some loss in production (not the whole loss) was made good'. Vide letter dated 6th/7th December, 1967 Ext. M-1 the Area General Manager further assured that he was arranging to get necessary sanction issued for condonation of the absence of the workmen on strike from 27th to 30th June, 1967. This was again without making any distinction between the aforesaid types of workmen.

The management itself granted leave without pay for the aforesaid strike period of June-July, 1967 vide letters dated 12th/13th December, 1969 Ext. W-4 and 16th/17th December, 1969 Ext. W-5. If there was no assurance then how this step was taken. It is thus clear that the assurances were given in the settlement and the reference based on the assumption of the assurance cannot be said to be misconceived.

The next question is whether the assurance was to convert it into leave due or to convert it into leave without pay. The reference proceeds on the assumption that the assurance was for converting it into the leave due. As said above the sentence appearing in the agreement that the management would take steps in about two months time for treating the absence from duty as leave as in the headquarters, does not make the matters clear on this point. What type of leave will be granted has not been specified. However it was said that it will be similar type of leave as was granted in the headquarters. The NCOEA in its letter addressed to the Additional Secretary Ext. W-8 has specifically mentioned in paragraph 1 that 'the management effected the payment of

wages to all striking workers/employees except at Giddi A Colliery and strafed projecting excuses'. The copy of this letter was sent to ALC, RLC and other authorities, to Ministers concerned as well as to Members of the Parliament. This letter was produced and the allegation contained therein was before the management when it was exhibited as Ext. W-8. Sri J. K. Bose WW-1 has proved this letter. No rebuttal to this allegation was produced by the management that it had not effected payment for such periods in other cases at the headquarters. Making payment for the period implies conversion of the absence of strike into the period of leave due. Thus after the aforesaid sentence in the agreement is read in conjunction with this circumstantial evidence of unrebutted allegation, it will be clear that the assurance was to convert the period into the leave due.

There is yet another sentence in para 2 of the agreement dated 27-7-67 as reproduced above. In that sentence anxiety has been shown about the daily rated and piece rated workers saying specifically that there may not be sufficient leave to their credit. This reflects back on the previous sentence and indicates that the parties were contemplating that the period shall be converted to leave due and not to leave without wages.

Sri J. K. Bose WW-1 has stated that a monthly paid employee earned one days leave on 11 days work though in the first year of his service he earned one days leave against 22 days work. Leave to the extent of 180 days could be accumulated to the credit of an employee. There is no rebuttal to this evidence as well. Thus with respect to the monthly rated employees it was obvious that the conversion contemplated was to the leave due which was easily available. The parties while entering into an agreement envisaged some difficulty about the piece rated and daily rated workers. They thought that they may not be having sufficient leave to their credit and they agreed to evolve out some formula after sometime when some loss in production was made good. Thus Basically it was agreed with respect to them as well that whatever leave due to their credit was available would be utilised for this conversion and some formula will be found out for the rest of the period. Thus I am of the view that the reference does not proceed on any incorrect assumption of assurance for conversion of the strike period into the leave due. The objection so raised is therefore ruled out as it has no force.

The plea that the workmen did not maintain peace and harmony for two months and the normalcy was not restored hence having committed breach of the precedent condition they are not entitled to leave for the strike period has no force. The employer examined Sri R. Advani MW-1 under manager for proving an incident of 26th August, 1967 which formed the basis of the complaint Ext. M-7 and Ext. M-7-a. Though the complaint itself bears no receipt or despatch number yet it seems to have been forwarded to Dy. Supdt. of Collieries vide letter Ext. M/7-a of 28-8-67 which bears receipt No. of the Office of Dy. Supdt. of Collieries. The facts in the complaint have been testified by Sri R. Advani under Manager MW-1 and there is no reason to disbelieve him.

2. However the question is whether it constituted a breach of condition envisaged in the agreement? The alleged incident was that Sri L. A. Prasad Head Surveyor and President of the union after finishing his work of doing surface stock measurement went to Sri R. Advani with some other workmen at 11 AM and insisted that 4 extra workers should be engaged for Tippler Jam cleaning. It appears that he and the other workmen apprehended that otherwise the miners would not get their empties in time. The under manager was of a different view but ultimately finding that arguments will not cut ice and the work will continue to suffer he conceded. This caused interruption of about half an hour and delayed his underground inspection.

3. The agreement did not rule out such sort of request or insistence in the interest of work and for the convenience of the engaged workmen who apprehended that otherwise they will not get regular flow of empties. Normalcy or peaceful condition does not mean that workmen should not open their mouth at all under any circumstance whatsoever. It only means absence of strike or adoption of other violent or agitational methods. I am therefore of the view

that this proof of single incident in one month was not such as to amount to the breach of the stipulation of normalcy and maintenance of peaceful conditions.

4. Moreover the clause envisaging restoration of normalcy and maintenance of peaceful condition, does not rule out stray incident or a single incident of no consequence. It contemplates repeated incidents disturbing peace and normalcy in general or some incident of widespread repercussions. It does not contemplate that no inconvenience should be caused to an under manager in his arbitrary working or mere delay in his underground inspection when the incident died its own death at the very place and without much ado.

5. The Senior management also did not attach any seriousness to this incident. No action was taken against Sri J.A. Prasad even when there was a specific complaint against him. On the other hand the management thinking that under the agreement, it was bound to grant leave without pay if there was no breach of condition, itself granted leave without pay for the strike period. This means that the head office itself had ignored it and had extended the benefit of leave. How could now the management come up before this Tribunal with a plea inconsistent with their own action and conduct.

6. This brings us to the plea that wages cannot be granted to the workmen for the strike period since the strike was illegal. It is not disputed that under a Central Government notification Coal Industry was declared a public utility concern and at the relevant time that notification was applicable to Giddi A Colliery. It is alleged that the strike was illegal because :

- (a) the branch Secretary of the union had no authority to serve a strike notice hence notice served by him was no notice in the eye of Law;
- (b) the notices given did not comply with the provisions of S. 22(1) of I.D. Act, in as much as strike started after the expiry of 6 weeks of one notice dated 17-4-67 could not be a valid strike nor the strike started on 27th June 67 could for its validity be referable to the notice dated 22-5-67 which called the strike on and from 8th June, 1967 ;
- (c) the strike is further alleged to be illegal because it started on 27-6-67 i.e. before the expiry of seven days from the receipt of failure report in connection of the strike notice conciliation proceedings with the recognised union Colliery Mazdoor Sangh by the Govt. of India on 23-6-67.

The strike was unjustified as well. Hence the workmen could not be granted wages for the strike period.

7. In my opinion the argument cuts no ice. The management wants to go behind the settlement and seek adjudication on a point which it had conceded at the time of settlement by abstaining from the proceedings to seek the declaration that the strike was illegal. Clause (4) of the agreement specifically provided that 'there will be no victimisation for participation in any lawful trade union activity'. This general proposition was not incorporated for no purpose nor was it introduced as an embellishment. It is a statement of plain legal position and it was reiterated as a specific and distinct clause of agreement not simply for restating the law on the point but for indicating as an admitted position of the parties that trade union activity of strike as distinguished for the cases of violence etc., was not an unlawful activity and no workmen shall be victimized for participating in it. This is to be read with the 7th clause which envisages that the management would abstain from declaring the strike illegal. No such declaration was in fact sought thereafter. This was done for saving the workmen the benefit of Coal Mine Bonus for the quarter ending June, 1967. In the back drop of this spirit of the agreement it is not possible for the management now to take a some result and say that the strike was illegal. The conduct, the agreement under which they derived the benefit of bringing the strike to an end and restore conditions congenial to production and profits, and the assurance implied in the agreement that the strike shall not be treated

as illegal now operates as estoppel against them for taking a contrary stand that it was illegal, I am therefore inclined to hold that whatever may be the character and legality or otherwise of the strike, the management is not in a position to take the stand that it was illegal.

8. The introduction of the relief clause in the reference has widened its scope and has indirectly introduced the question of wages for the said strike period. I think it will be in the interest of both parties and congenial to the smooth running of the industry to honour the spirit of the agreement and remove the sore point which is vitiating the atmosphere; the sore point of nonpayment of wages for the said strike period. I would therefore like to evolve the following formula even if it may not be the literal translation of the agreement.

9. The conclusion is that M/s. N.C.D.C. Ltd. was not justified in not implementing the said assurance. The period of absence of all the workmen on strike in June-July, 1967 whether monthly paid, daily rated or piece rated, shall be converted into leave as follows after scrutiny of each individual case :

- (i) If a workman had to his credit at that time earned leave of 31 days, the whole of the strike period shall be converted into leave due and he shall be paid full wages for that leave period.
- (ii) If a workman had lesser earned leave to his credit, that period which is coverable by the leave due shall be so converted and for that period full wages shall be paid. Half pay leave or other admissible leave if due shall be given to cover the rest of the period and for the period so covered payment of wages shall be made accordingly. If still some period remains uncovered it shall be treated as leave without pay.
- (iii) The union and the Employer shall hold sittings with RLC to discuss some formula for avoiding hardship to those daily rated or piece rated workmen who had no leave or no appreciable leave to their credit at that time. If after discussion they fail to evolve an agreed formula within a reasonable time RLC will give his award in that matter which shall be binding on both the parties and shall be implemented by the employer.

S. N. JOHRI, Presiding Officer
[F. No. 1/29/69-LRIIDIIIA]

S.O. 714.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal-cum-Labour Court No. 3 Dhanbad in the industrial dispute between the employers in relation to the management of Kankane Colliery of M/s. Bhowra Kankane Colliery Limited, P.O. Bansjora, Distt. Dhanbad and their workmen, which was received by the Central Government on the 19th January, 1976.

AWARD

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, AT DHANBAD

Reference No. 68 of 1969

Presiding Officer: Shri S. N. Johri, B.Sc., LL.M.

PARTIES :

Employers in relation to the management of Kankane Colliery of M/s. Bhowra Kankane Collieries Limited P.O. Bansjora, Distt. Dhanbad

AND

Their workmen represented by General Secretary, Colliery Mazdoor Sangh.

APPEARANCES :

For Employers—Shri T. P. Choudhury, Advocate (by Old Employers), Shri S. S. Mukherjee, Advocate, (by B. C. C. Ltd.)

For Workmen—The General Secretary, Colliery Mazdoor Sangh.

Industry : Coal.

State : Bihar

Dhanbad the, 15th January, 1976

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its order No. 2/71/69-LRII dated 27th September, 1969 under Section 10 of Industrial Disputes Act presenting the following Industrial Dispute for adjudication :

"Whether the management of Kankanee Colliery of M/s. Bhowra Kankanee Collieries Ltd. P. O. Bansjora, Distt. Dhanbad, managing agents M/s. Karamchand Thapar and Bros (Pvt.) Ltd. Central Office Bhowra. P. O. Bhowra, Distt. Dhanbad—

- (a) rendered idle 238 miners, (detailed as per Schedule I to this award) for the period shown against their names? If so to what relief are the workmen concerned entitled?
- (b) was justified in refusing work without any notice to 11 miners (detailed as per Schedule II to this award) with effect from 1st August, 1968? If not to what relief are the workmen concerned entitled?
- (c) was justified in rendering idle 12 trammers (detailed as per Schedule III of this award) with effect from 1st August, 1968? If not to what relief are the workmen entitled?"
- (d) was justified in refusing work without any notice with effect from the dates shown against each 21 trammers (detailed in Schedule IV attached to this award)? If not to what relief are the concerned workmen entitled?

2. Union's case is that the management did not follow the prescribed procedure, stoppage was abrupt and arbitrary, without notice, for no fault of the workman, and without payment of compensation or without providing for an alternate job which the management could easily provide. They pray for full wages with all other attendant benefits for the period of forced idleness.

3. The employer has challenged the validity of reference and jurisdiction of this Tribunal to proceed with it on the ground that the union did not raise the dispute first with the management which was a sine-qua-non for designating the same as industrial dispute. Raising of the dispute before or through conciliation Officer does not rectify the jurisdictional mistake. On merits it has been alleged that working of seams 13 and 14 had to be suddenly suspended because of sudden premature collapse 37 miners and 17 trammers were transferred to Pootke Colliery and 68 of the miners proceeded on leave voluntarily. 31 workmen as specified in para 4(d) of the W.S. were never the employees of the Colliery. Those specified in para 4(c) were never stopped from work and some specified in para 4(f) absented themselves and were therefore not entitled to any compensation etc.

4. So far as the preliminary objection of validity of reference is concerned, the law that was laid down by the Supreme Court in Sindhu Resettlement Corporation Ltd. Vs. Industrial Tribunal 1968 I.L.L.J. 834 (S.C.) was considered by the Patna High Court in Management of Radio Foundation Engineering Ltd. Vs. State of Bihar 1970 Lab.I.C.1119 (1125) and it was held by Untwalia J. (who now adorns the bench) in the Supreme Court that where the workmen stopped the work according to the employer and was not allowed to work according to the union, an industrial dispute did exist despite the fact that no specific demand by the workman was made in this connection. Similarly in Rashtriya Khadan Mazdoor Sarkari Samiti Ltd. Vs. Presiding Officer of Central Government Industrial Tribunal-cum-Labour Court Jabalpur 1975 Lab. I.C.1409. Full Bench of M.P. High Court held in para 27 that even if the dispute is not raised directly with the employer yet if the employer comes to know through ALC and partakes in the conciliation proceeding and both pray for forwarding dispute to the Government for referring the same to Industrial Tribunal, the employer will not be in a position to challenge the validity of reference on the ground that dispute was not raised at first with the employer. In this case also the Sindhu Resettlement case was distinguished. There may be cases where demand and denial even if not made in

so many words, appear to be rather inherent in the situation. Law will not like the obvious to be translated into words or in writing. That formality may be necessary where it is not otherwise clear or really contested whether the dispute exists or not. In the present case admittedly some of the workers were rendered idle or proceeded on leave or were stopped for no fault on their part. The existence of the Industrial Dispute was thus an obvious fact. So formal demand and denial may have no meaningful value of basic nature.

5. In the present case in its rejoinder the union specifically pleaded that it had directly taken up the dispute with the management vide letters dated 2nd, 3rd, 5th, 6th and 8th August, 1968. The copies of those letters were filed as annexures A to E. The employer did not deny the receipt of those letters. This constituted an admission that those letters were received by the employer. The fact that on 2nd August, 1968 the union simultaneously moved the ALC also does not in any way militate against the direct raising of the dispute with the employer. Thereafter the employer participated in conciliation proceedings. Thus now it is too late in the day for him to raise the plea that the reference was bad because the dispute had not been raised before the employer directly.

6. The employer pleaded that 13th and 14th Seams had suddenly collapsed. The union failed to assert positively that there was no collapse of 13th and 14th Seams. This fact of collapse is established by the evidence of Sri S. S. Bhattacharjee, General Clerk MW-1. Sri Narendra Nath Parmanik WW-1 who was the attendance clerk pleaded his ignorance about such a notorious fact. His noncommittal statement cannot rebut the definite testimony of Sri Bhattacharjee. It is therefore held that the working of 13th and 14th seam was stopped from 1-8-1968 due to their sudden collapse.

7. Management's case is that when there was this sudden collapse of the Seams 66 (The W.S. incorrectly mentions the figure as 67 at one place and 68 at another place in para 4(c) of the W.S.) of the workmen serial Nos. 2 to 6, 11, 12, 15, 16, 19, 32, 33, 36, 40, 42, 56, 57, 71, 72, 76 to 79, 82, 116, 118, 144 to 146, 151 to 156, 160, 162, 163, 165 to 167, 169, 176, 178, 192, 194 to 197, 204 to 207, 215 to 223, 227, 229 to 234 and 236 to 238 of Schedule No. I applied for leave vide leave application Ext. Nos. M-2 to M-266 workman's witness Mr. Parmanik also admitted that some of the workmen had proceeded on leave. He does not remember the names or total number of the workmen who proceeded on leave. No workman has turned in the witness box to deny his signature or thumb mark on these applications. It is thus held as proved that 66 aforesaid employees did proceed on 4 month's leave, perhaps in the hope that working was not likely to be resumed earlier. The applications show that leave without pay was granted to them.

8. The management again raised the plea that 37 miners i.e. Nos. 7, 17, 34, 57, 69, 70, 74, 80, 81, 122 to 125, 147 to 150, 158, 161, 170, 173, 179 to 182, 185, 186, 188 to 191, 193, 198, 199, 202, 203 and 228 of Schedule I, 9 trammers Nos. 3, 4, and 6 to 12 of Schedule III and 8 trammers Nos. 9 to 16 of Schedule IV were temporarily transferred to work in Pootke Colliery which was hardly a mile away regretting the hardship caused due to sudden suspension of work in Seams 13 and 14 on account of sudden collapse. This plea is supported by the transfer order dated 1-8-68 Ext. M-1 which has been proved by Sri S. S. Bhatnagar MW-1. Even the workmen's witness has admitted that some workmen were so transferred. He does not remember their names or number. As such management's evidence on this point is worthy of credence. The point is decided accordingly.

9. The management further pleaded that 31 persons named in the Schedules i.e. serial Nos. 15, 22, 27, 41, 51, 112, 117, 120, 121, 126 to 133, 159, 174, 175, 184, 187, 210 and 225 in Schedule No. I, 1, 3, 5, 7, 10 and 11 in Schedule II as miners, and serial No. 2 in Schedule III as trammer were not the workmen. There was no worker of such names and therefore there was no question of stopping them. The Company has filed the registers for proving that these names do not exist there. Vague and omnibus statement of Sri Parmanik WW-1 cannot rebut this evidence. He could not stand the acid test of cross-examination when he said that he did not know how many workers were concerned in the dispute directly. He admitted that he had

no opportunity to go through the reference and the schedules. He did not remember as to how many miners and trammers went to him for getting their attendance recorded at the union office. His testimony hardly appears to be convincing. The only exception is of the workman named at serial No. 15 of Schedule I. When as per para 4(c) of the W.S. he had proceeded on leave how could it be said in para 4(d) of W.S. that he was not a workman at all. This repetition of his name in para 4(d) thus appears to be a typing mistake. It is thus held as proved that the aforesaid 30 out of the alleged 31 persons were not the workmen of the Company. There was therefore no question of stoppage of work by them.

10. The management alleged that 25 workmen i.e. 21 from Schedule I at serial Nos. 8, 65, 68, 75, 119, 157, 172, 177, 183, 200, 208, 209, 212 to 214, 216 to 219, 224 and 235, and 4 from Schedule II i.e. serial Nos. 2, 6, 8, 9 were never stopped. They continued to work. The reference proceeds on the assumption that they were rendered idle for the number of days shown against their names. The burden was therefore upon the management to prove their attendance and payments of wages for those dates. It has failed to convert this mere allegation into a proved fact. It is therefore clear that the stoppage of these workmen without payment of lay off compensation for the said period was not justified.

11. The management pleaded that 85 workmen i.e. serial Nos. 9, 10, 14, 17, 18, 20 to 26, 28 to 30, 35, 38, 39, 43 to 50, 52 to 55, 58 to 64, 66, 67, 75, 83 to 111, 113 to 115, 134 to 143, 211, 220, 221 and 226 of Schedule I absented themselves and were never stopped. The management has produced no evidence in support of this plea. Union's witness Shri Parmannik WW-1 did state that some workmen used to attend and infact union managed to keep some record of that attendance. Those papers were filed but were not proved. It is however clear that some workmen continued to attend but their attendance was not recorded. Under these circumstances it is held that these 85 workmen were stopped by the management without payment of lay off compensation as management's plea of their remaining absent is not established.

12. The allegation is that in spite of being transferred to Putke Colliery miner No. 17 of Sch. I absented himself and No. 57 of Sch. I proceeded on 4 months leave. That is why their Nos. came to be repeated in paragraphs 4(f) and 4(c) respectively even when they were listed as transferred employees in para 4(b) of the W.S. of the management. Absence of No. 17 of Sch. I has not been proved as held in para 11 above.

13. The management has failed to raise any plea with respect to workmen Nos. 1, 13, 37, 73, 164, 168, 171 and 222 of Schedule I, No. 4 of Schedule II, Nos. 1 and 5 of Schedule III and Nos. 1 to 8 and 17 to 21 of Schedule IV. This amounts to admission of the allegations made in the reference, so far as these workmen are concerned.

14. The conclusion may be summarised as follows :

66 workmen mention in para 7 above were granted 4 months leave without pay.

30 persons mentioned in para 9 above were not the workmen at all.

37 workmen were provided with alternate employment in Putke Colliery.

133 Total.

Thus barring the case of these 133 workmen all others mentioned in the various Schedules shall be entitled to lay off compensation for the idle period; for the period mentioned in Schedule I and IV for those who are from those list and for all the days subsequent to 1-8-68 in case of 149 others as discussed above. The reference is answered accordingly.

S. N. JOHRI, Presiding Officer.

SCHEDULE I

Sl. No.	Name	Period of idleness
1.	Shri Sukala Bhar	1-8-68 to 9-8-68
2.	„ Saha Bhar	1-8-68 to 18-12-68
3.	„ Bali Bhar	1-8-68 to 24-10-68
4.	„ Sanchu Bhar	1-8-68 to 12-10-68
5.	„ Ramnandan Rabidas	1-8-68 to 12-10-68
6.	„ Hardeo Rabidas	1-8-68 to 20-12-68
7.	„ Pujan Bhar	1-8-68 to 21-10-68
8.	„ Kaloo Pasi	1-8-68 to 10-11-68
9.	„ Santoo Rabidas	1-8-68 to 2-8-68 and 9-9-68 to 19-10-68
10.	„ Ramdeo Gope	1-8-68 to 2-8-68
11.	„ Budhan Bhulia	1-8-68 to 25-9-68
12.	„ Shyamli Gope	1-8-68 to 19-8-68
13.	„ Hinoo Harijan	1-8-68 to 2-8-68
14.	„ Dodhi Sao	1-8-68 to 2-8-68
15.	„ Padoo Sao	1-8-68 to 15-8-68
16.	„ Manki Sao	1-8-68 to 10-10-68
17.	„ Kaloo Bhulia	1-8-68 to 10-10-68
18.	„ Anchoo Bhulia	1-8-68 to 3-8-68
19.	„ B. Chander Gope	1-8-68 to 2-8-68
20.	„ Chhakuri Barhi	1-8-68 to 9-11-68
21.	„ Noonoo Thakur	1-8-68 to 4-8-68
22.	„ Bhukhal Harijan	1-8-68 to 4-8-68
23.	„ B. Bilgan Bhulia	1-8-68 to 4-8-68
24.	„ Jadoo Mahato	1-8-68 to 3-8-68
25.	„ Bandhan Bhulia	1-8-68 to 3-8-68
26.	„ Munshi Bhulia	1-8-68 to 3-8-68
27.	„ Maheshwar Bhulia	1-8-68 to 3-8-68
28.	„ Ch. Karu Bhulia	1-8-68 to 3-8-68
29.	„ Satan Dusadh	1-8-68 to 2-8-68
30.	„ Mangar Chamar	1-8-68 to 2-8-68
31.	„ Gobardhan Chamar	1-8-68 to 9-8-68
32.	„ Bandhu Bhulia	1-8-68 to 15-10-68
33.	„ Kesho Bhulia	1-8-68 to 15-10-68
34.	„ Puna Dusadh	1-8-68 to 15-10-68
35.	„ Raghu Sao	1-8-68 to 2-8-68
36.	„ Karim Bhulia	1-8-68 to 11-11-68
37.	„ Bishan Sao	1-8-68 to 12-11-68
38.	„ Sukhdeo Roy	1-8-68 to 2-8-68
39.	„ Birjoo Bhulia	1-8-68 to 2-8-68
40.	„ Barho Bhulia	1-8-68 to 20-10-68
41.	„ Bajhan Bhulia	12-8-68 to 31-8-68
42.	„ Ramdas Bhar	1-8-68 to 12-12-68
43.	„ Dheloo Bhar	11-8-68 to 11-12-68
44.	„ Mohit Chamar	1-8-68 to 2-8-68
45.	„ Patiram Chamar	1-8-68 to 2-8-68
46.	„ Jiblal Barhi	1-8-68 to 2-8-68
47.	„ Dipan Gope	1-8-68 to 2-8-68
48.	„ Dharmedeo Gope	1-8-68 to 2-8-68
49.	„ Harkhoo Gope	1-8-68 to 3-8-68
50.	„ B. Haman Sao	1-8-68 to 2-8-68
51.	„ Ramasis Singh	1-8-68 to 2-8-68
52.	„ Lilo Sao	1-8-68 to 3-8-68
53.	„ Chitaman Gope	1-8-68 to 4-8-68
54.	„ Hanif Miah	1-8-68 to 3-8-68
55.	„ Sahdul Mian	1-8-68 to 2-8-68
56.	„ Rameshwar Bhulia	1-8-68 to 26-10-68
57.	„ Badri Bhulia	1-8-68 to 25-10-68
58.	„ Arjoon Mali	1-8-68 to 2-8-68
59.	„ Raghu Chamar	1-8-68 to 2-8-68

Sl. No.	Name	Period of idleness	Sl. No.	Name	Period of idleness
60.	Shri Bulak Chamar	1-8-68 to 2-8-68	122.	Shri Mumtaj Mian	1-8-68 to 2-8-68
61.	„ Gobardhan Ram	1-8-68 to 3-8-68	123.	„ Sitaram Rabidas	1-8-68 to 2-8-68
62.	„ Bikhan Bhua	1-8-68 to 2-8-68	124.	„ Ramkaran Rabidas	1-8-68 to 2-8-68
63.	„ Tilak Sao	1-8-68 to 2-8-68	125.	„ Ramlal Bhua	1-8-68 to 2-8-68
64.	„ Dhanoo Sao	1-8-68 to 2-8-68	126.	„ Mahabir Pasi	1-8-68 to 2-8-68
65.	„ Rakan Gope	3-8-68 to 5-10-68	127.	„ Jagdish Bhua	1-8-68 to 2-8-68
66.	„ Najir Mian	1-8-68 to 2-8-68	128.	„ Binda Singh	2-8-68 to 12-10-68
67.	„ Salim Mian	1-8-68 to 2-8-68	129.	„ Tilak Shaw	1-8-68 to 2-8-68
68.	„ Rahmali Mian	1-8-68 to 2-8-68	130.	„ Rupan Bhua	2-8-68 to 3-8-68
69.	„ Ramratan Rabidas	1-8-68 to 11-12-68	131.	„ Meghan Bhua	1-8-68 to 3-8-68
70.	„ Gobardhan Bhua	1-8-68 to 10-9-68	132.	„ Jhingi Bhar	1-8-68 to 3-8-68
71.	„ Raghunath Rabidas	1-8-68 to 11-10-68	133.	„ Jhaman Bhua	1-8-68 to 3-8-68
72.	„ Pawan Das	1-8-68 to 11-10-68	134.	„ Bimal Mahato	1-8-68 to 3-8-68
73.	„ Baliram Rabidas	1-8-68 to 10-11-68	135.	„ Laldhari Ram	1-8-68 to 3-8-68
74.	„ Deonandan Gope	1-8-68 to 12-10-68	136.	„ Palu Dhoobi	1-8-68 to 3-8-68
75.	„ Mangar Bhar	1-8-68 to 3-8-68	137.	„ Ch. Bajnath Rabidas	1-8-68 to 3-8-68
76.	„ Ram Bharash Harijan	12-8-68 to 23-11-68	138.	„ Rajoo Mian	1-8-68 to 3-8-68
77.	„ Dahari Rabidas	3-8-68 to 11-11-68	139.	„ Jhagroo Bhar	1-8-68 to 3-8-68
78.	„ Shyamal Harijan	19-8-68 to 9-10-68	140.	„ Palakdhari Bhar	1-8-68 to 3-8-68
79.	„ Arjun Singh	3-8-68 to 12-9-68	141.	„ Rupa Rabidas	1-8-68 to 3-8-68
80.	„ Santoo Rabidas	1-8-68 to 15-10-68	142.	„ Sagchu Bhar	1-8-68 to 3-8-68
81.	„ Salim Mian	1-8-68 to 11-10-68	143.	„ Ramji Bhua	1-8-67 to 3-8-68
82.	„ Suchet Harijan	22-8-68 to 21-11-68	144.	„ Ganpat Rabidas	3-8-68 to 12-10-68
83.	„ Paltoo Gope	1-8-68 to 2-8-68	145.	„ Dwarika Chamar	3-8-68 to 12-10-68
84.	„ Banarshi Bhar	1-8-68 to 2-8-68	146.	„ Kedar Mahato	3-8-68 to 12-10-68
85.	„ Chhotan Bhua	1-8-68 to 2-8-68	147.	„ Ratan Bhua	1-8-68 to 12-12-68
86.	„ Jagan Bhua	1-8-68 to 2-8-68	148.	„ Kamal Rabidas	1-1-68 to 12-12-68
87.	„ Dajo Bhua	1-8-68 to 2-8-68	149.	„ Ramnath Bhar	1-8-68 to 12-12-68
88.	„ Rabhubar Harijan	1-8-68 to 2-8-68	150.	„ Gyani Thakur	1-8-68 to 12-12-68
89.	„ Nepal Kurmi	1-8-68 to 2-8-68	151.	„ Hardeo Rabidas	1-8-68 to 12-12-68
90.	„ Ramlagan Rabidas	1-8-68 to 2-8-68	152.	„ Ramkrit Rabidas	3-8-68 to 12-12-68
91.	„ Kedar Kewat	1-8-68 to 2-8-68	153.	„ Shyamnaraian Mishra	3-8-68 to 12-12-68
92.	„ Rajdeo Bhar	1-8-68 to 2-8-68	154.	„ Deonandan Bhar	3-8-68 to 12-12-68
93.	„ Jhaldu Bhar	1-8-68 to 2-8-68	155.	„ Harkhoo Kurmi	3-8-68 to 12-12-68
94.	„ Barkan Rabidas	1-8-68 to 2-8-68	156.	„ Basan Gope	3-8-68 to 12-12-68
95.	„ Rama Rabidas	1-8-68 to 2-8-68	157.	„ Patiram Rabidas	3-8-68 to 12-12-68
96.	„ Parsad Rabidas	1-8-68 to 2-8-68	158.	„ Gobardhan Bhua	3-8-68 to 12-12-68
97.	„ Mohammad Ali Mian	1-8-68 to 2-8-68	159.	„ Suraj Bhar	3-8-68 to 12-12-68
98.	„ Kaloo Mahato	1-8-68 to 2-8-68	160.	„ Dudhnath	3-8-68 to 12-12-68
99.	„ Sudan Mahato	1-8-68 to 2-8-68	161.	„ Ramdhani Rabidas	1-8-68 to 8-10-68
100.	„ Sripat Bhar	1-8-68 to 2-8-68	162.	„ Ch. Chandar Gope	5-8-68 to 10-10-68
101.	„ Ramrup Bhar	1-8-68 to 2-8-68	163.	„ Barbil Gope	5-8-68 to 14-9-68
102.	„ Ch. Maghu Harijan	1-8-68 to 2-8-68	164.	„ B. Chander Gope	23-8-68 to 11-12-68
103.	„ Durjan Munda	1-8-68 to 2-8-68	165.	„ Khairoo Bhar	1-8-68 to 29-10-68
104.	„ Gobardhan Turi	1-8-68 to 2-8-68	166.	„ Ramnath Harijan	1-8-68 to 17-8-68
105.	„ Jadunandan Harijan	1-8-68 to 2-8-68	167.	„ Lochan Bhar	6-8-68 to 28-10-68
106.	„ Kardhani Bhua	1-8-68 to 2-8-68	168.	„ Rambriksh Bhar	1-8-68 to 11-10-68
107.	„ Jitu Harijan	1-8-68 to 2-8-68	169.	„ Budhoo Chamar	1-8-68 to 28-10-68
108.	„ Ch. Baliram Harijan	1-8-68 to 2-8-68	170.	„ Bandhoo Bhua	1-8-68 to 11-10-68
109.	„ Pujan Bhar	1-8-68 to 2-8-68	171.	„ Bandhan Bhua	1-8-68 to 25-10-68
110.	„ Ramdhani Singh	1-8-68 to 2-8-68	172.	„ Ch. Kesho Bhua	1-8-68 to 25-10-68
111.	„ Murli Harijan	1-8-68 to 2-8-68	173.	„ Dasrath Bhua	1-8-68 to 9-10-68
112.	„ Burdhan Bhua	1-8-68 to 2-8-68	174.	„ Harkhan Bhua	1-8-68 to 22-10-68
113.	„ Sukara Bhua	1-8-68 to 2-8-68	175.	„ Sanichar Bhua	1-8-68 to 3-9-68
114.	„ Mohammad Husson Mian	1-8-68 to 2-8-68	176.	„ Tilak Gope	1-8-68 to 10-12-68
115.	„ Sonaram Rewani	1-8-68 to 2-8-68	177.	„ Sheo Balak Pashi	1-8-68 to 31-8-68
116.	„ Thuthu Manjhi	1-8-68 to 12-10-68	178.	„ Mobiuddin Mian	1-8-68 to 22-10-68
117.	„ Sucha Manjhi	1-8-68 to 2-8-68	179.	„ Etwari Bhua	1-8-68 to 31-10-68
118.	„ Pawaru Kumhar	1-8-68 to 2-8-68	180.	„ Bishun Bhua	1-8-68 to 21-10-68
119.	„ Dasrath Ram	1-8-68 to 2-8-68	181.	„ Jamir Mian	1-8-68 to 18-11-68
120.	„ Ramkishan Chamar	1-8-68 to 2-8-68	182.	„ Sanjoo Bhua	1-8-68 to 14-9-68
121.	„ Moti Sao	1-8-68 to 2-8-68			

Sl. No.	Name	Period of idleness
183.	Shri Sahdeo Gope	1-8-68 to 28-10-68
184.	,, Badan Gope	1-8-68 to 12-11-68
185.	,, Jakhan Rabidas	1-8-68 to 5-10-68
186.	,, Dayal Turi	1-8-68 to 11-10-68
187.	,, Barum Rabidas	1-8-68 to 18-10-68
188.	,, Sheonath Harijan	1-8-68 to 18-10-68
189.	,, B. Baijnath Rabidas	1-8-68 to 10-9-68
190.	,, Pujan Rabidas	1-8-68 to 31-10-68
191.	,, Deonandan Sope	3-8-68 to 20-9-68
192.	,, Pardesh Rabidas	1-8-68 to 11-11-68
193.	,, Lerya Chamar	3-8-68 to 11-11-68
194.	,, Udaynarain Sandey	1-8-68 to 15-8-68
195.	,, Jita Bhar	3-8-68 to 12-12-68
196.	,, Muni Bhar	1-8-68 to 12-11-68
197.	,, Nandlal Mishra	3-8-68 to 12-11-68
198.	,, Santa Gope	3-8-68 to 12-11-68
199.	,, Hoobraj Jaiswara	3-8-68 to 10-10-68
200.	,, Kesho Bhulia	3-8-68 to 15-10-68
201.	,, Nakhero Rabidas	3-8-68 to 11-10-68
202.	,, Peko Bhar	1-8-68 to 11-10-68
203.	,, Balaram Mahato	1-8-68 to 20-11-68
204.	,, Dhukoo Bhar	1-8-68 to 20-11-68
205.	,, Sahati Bhar	1-8-68 to 12-12-68
206.	,, Ramprit Gope	1-8-68 to 9-11-68
207.	,, Noonoo Sao	1-8-68 to 9-11-68
208.	,, Ruplal Barhi	1-8-68 to 5-10-68
209.	,, Janoo Sao	1-8-68 to 5-10-68
210.	,, Moti Lal Sao	1-8-68 to 5-10-68
211.	,, Budhoo Singh	1-8-68 to 2-8-68
212.	,, Manoo Mahato	1-8-68 to 2-8-68 and 17-8-68 to 7-8-68
213.	,, Kushar Bin	1-8-68 to 2-8-68
214.	,, Bhikhari Bhar	17-8-68 to 16-9-68
215.	,, Jhiloo Bhar	1-8-68 to 18-10-68
216.	,, Sadhu B.P.	17-8-68 to 11-12-68
217.	,, Sukhoo Bhar	17-8-68 to 10-10-68
218.	,, Banwari Harijan	17-8-68 to 20-11-68
219.	,, Suresh Harijan	17-8-68 to 20-11-68
220.	,, Narayan Jaiswara	17-8-68 to 2-8-68
221.	,, Lochan Gope	17-8-68 to 2-8-68
222.	,, Ramraj Bhar	17-8-68 to 26-12-68
223.	,, Pawaru Harijan	17-8-68 to 2-8-68
224.	,, Kishun Sao	17-8-68 to 20-11-68
225.	,, Daso Bhar	1-8-68 to 20-11-68
226.	,, Hela Teliniya	1-8-68 to 2-8-68
227.	,, Tulsi Jaiswara	1-8-68 to 5-10-68
228.	,, Tori Hazam	1-8-68 to 11-11-68
229.	,, Raja Ram Jaiswara	1-8-68 to 12-10-68
230.	,, Sitaram Jaiswara	1-8-68 to 12-11-68
231.	,, Ram Narain Pasi	1-8-68 to 12-11-68
232.	,, Chumari Gope	3-8-68 to 12-11-68
233.	,, Karoo Gope	3-8-68 to 12-11-68
234.	,, Hari Sao	3-8-68 to 10-10-68
235.	,, Kesho Bhulia	3-8-68 to 15-12-68
236.	,, Ramu Majhi	5-8-68 to 7-9-68
237.	,, Budhu Majhi	23-8-68 to 7-9-68
238.	,, Birshi Majhi	1-8-68 to 11-11-58

Sl. No.	Name	Designation
1.	Shri Ramdhani Sao	Miner
2.	,, Baijnath Kurmi	"
3.	,, Lakh Rabidas	"
4.	,, Babynandan Bhar	"
5.	,, Tirsha Bhar	"
6.	,, Sarup Bhar	"
7.	,, Agnu Gope	"
8.	,, Khurmuli Harijan	"
9.	,, Bulak Sao	"
10.	,, Bukharam Bhar	"
11.	,, Niroo Bjuia	"

S. N. JOHRI, Presiding Officer

Sl. No.	Name	Designation
1.	Shri Chauthi Bhulia	Trammer
2.	,, Ramsaran Singh	"
3.	,, Naresh Singh	"
4.	,, Prasadi Bhulia	"
5.	,, Baleshwar Bhulia	"
6.	,, Ismilo Mian	"
7.	,, Budhan Bhulia	"
8.	,, Lotan Bhulia	"
9.	,, Doman Mallah	"
10.	,, Sonaram Bouri	"
11.	,, Binoo Ram	"
12.	,, Gomti Prasad	"

S. N. JOHRI, Presiding Officer

Sl. No.	Name	Period of idleness
1.	Shri Jethan Bhulia	2-8-68 to 24-10-68
2.	,, Madan Bhulia	1-8-68 to 2-8-68
3.	,, Huro Bhulia	1-8-68 to 8-9-68
4.	,, Rameshwar Bhulia	3-8-68 to 31-8-68
5.	,, Harekrishna Jha	1-8-68 to 19-11-68
6.	,, Moti Bhulia	2-8-68 to 28-9-68
7.	,, Jamuna Dusadh	1-8-68 to 22-10-68
8.	,, B. Mangal Bhulia	1-8-68 to 5-10-68
9.	,, Maha Bhulia	1-8-68 to 24-10-68
10.	,, Jhari Bhulia	1-8-68 to 4-9-68
11.	,, Mahasi Mahato	1-8-68 to 24-10-68
12.	,, Asina Bhulia	1-8-68 to 16-11-68
13.	,, Baldeo Bhulia	1-8-68 to 5-9-68
14.	,, Sanitir Bhulia	1-8-68 to 19-10-68
15.	,, Birjoo Dusadh	1-8-68 to 5-9-68
16.	,, Katka Bhulia	1-8-68 to 5-9-68
17.	,, Moti Bhulia	1-8-68 to 2-11-68
18.	,, Jethu Bhulia	1-8-68 to 2-9-68
19.	,, Mithoo Rabidas	1-8-68 to 20-10-68
20.	,, Chhotan Bhulia	2-8-68 to 28-9-68
21.	,, Dhanoo Rabidas	1-8-68 to 7-9-68

S.N. JOHRI, Presiding Officer
[F. No. 2/71/69-LR II]

S.O. 715.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal cum Labour Court No. 3 Dhanbad in the industrial dispute between the employers in relation to the management of Katras Choitidih Colliery of M/s. Burrakar District Dhanbad and their workmen which was received by the Central Government on the 23rd January, 1976.

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT NO. 3, AT DHANBAD**

Reference No.1 of 1972

Presidng Officer : Shri S. N. Johri, B.Sc., LL.M.

PARTIES:

Employers in relation to the management of Katras Choitidih Colliery of M/s. Burrakar Coal Company Ltd., Katrasgarh, District Dhanbad.

AND

Their workmen represented by the Secretary Colliery Mazdoor Sangh, Rajendra Path, P.O. & Distt. Dhanbad.

APPEARANCES :

For employer—Shri S. S. Mukherjee, Advocate.

For workmen—Shri S. Das Gupat, Advocate.

Dhanbad, the 20th January, 1976

AWARD

This is a reference made under Section 10 of Industrial Disputes Act in the Ministry of Labour vide its order No. 2/71/70-LRII dated 28-12-1971 projecting the following industrial dispute for adjudication :

"Whether the action of the management of Katras Choitidih Colliery of M/s. Burrakar Coal Company Limited, Katrasgarh P.O., Dhanbad District is justified in terminating the services of Sarvashri Hiralal Singh, Arjun Rewani, B. N. Acharjee and Shital Chandra Pathak, Overmen from the 12th March, 1968? If not, to what relief are the workmen entitled?"

2. It is not disputed that these workmen were employed and working on the responsible posts of Overman in confidential capacity as contemplated in Rule 46 of Mines Rules. Their statutory duties have been specified in Regulation 43 of Coal Mines Regulations. They were advised by the management to countersign the raising reports. On 18-1-68 head Surveyor Sijua found shortage of stock of Coal. Several Overmen and Mining Sirdars were charge sheeted for collusion and negligence resulting in over payments made by the Company on the basis of false and exaggerated raising reports. A domestic enquiry on those charges was held against those Overmen. The Enquiry Officer found them guilty but recommended their termination of service. Accordingly their services were terminated vide order dated 12-3-1968 with effect from the same date. The conciliation proceedings bore no fruits. They launched criminal prosecutions against them. However when one other Overman was acquitted by the criminal Court, the cases against these overmen were withdrawn. Still they were not taken in services. Conciliation failed and the failure report resulted in this reference.

3. The case of the old management is that the Company lost confidence on these responsible Officers who were directed to keep an eye on raisings and countersign the raising reports. Their collusion caused loss to the Company on account of over reporting of tubs. These case was proved against them in the enquiry but the management

took a lenient view and terminated their services after paying one month pay as retrenchment compensation. The principles of natural justice were followed in conducting the enquiry. Full opportunity of defence was given. Enquiry Officer was not biased. The reference was alleged to be bad and illegal.

4. The case of the workmen is that they were not responsible for the shortage. They had not betrayed the confidence. Enquiry was bogus. Opportunity to defend was not granted and the enquiry Officer was biased. He was influenced and extraneous considerations prevailed upon him. Finding was perverse hence instead of awarding the punishment of dismissal, their services were simply terminated. Principles of natural justice were followed only in breach. The termination was prompted by ulterior motives. The reference was lawful. The workmen have prayed for reinstatement with full wages and other benefits and continuity of service.

5. The whole matter proceeds on the presumption that there was shortage of the stock of Coal. This shortage or its extent was never proved either before the enquiry Officer or before this Tribunal. The Surveyor who detected the shortage was not examined before the enquiry Officer nor on his own admission the enquiry Officer had any opportunity to see his report. That report or its copy does not form part of enquiry proceedings. The delinquent workmen had a right to challenge the fact that there was shortage. No such opportunity was granted to them. Cross-examination of the Surveyor on this point was one of the basic defences. In their reply to the charges the workmen did not admit shortage. They pleaded their ignorance about the stock position. It was thus incumbent on the management to prove this fact. The whole edifice of incrimination thus stands on a bed of sand under which there appears to be no foundation at all.

6. Even if shortage is presumed, the next question is as to how shortage was caused. There is no evidence to show as to what enquiry and what steps were taken by the management for ascertaining the real cause or the contributing factors. Nor any such evidence was produced before the enquiry Office. It is not clear how the management jumped to the conclusion that these Overmen were responsible for the shortage and not any other person or factor. Shri J. Saran MW-1, who conducted the enquiry admitted that various factors could have contributed to this shortage. Some of them may be enumerated as follows:—

- (i) Short filling of the tubs and wrong reporting that they were fully loaded ones.
- (ii) Over reporting of the number of tubs.
- (iii) Inflation of book stock figures for earning the credit of raising the production.
- (iv) Under reporting of transport figures
 - (a) by under reporting the quantity.
 - (b) by under reporting the trips.
- (v) Pilferage.

Moreover over reporting in one shift in which these workmen were not on duty may also affect the position of the total stock. Which of these factors or more than one of them played their part in bringing out the resultant shortage of stock was never investigated. Was it then not an arbitrariness on the part of the management to start with the assumption that only these Overmen were responsible for this alleged shortage.

7. Coal stock measurement register Ext. W-11 goes to show that whenever the stock is checked there is always either surplus or shortage; mostly there is shortage. Surplus is occasional and appears to be nominal. Thus difference between book stock position and actual stock on the spot is a regular feature of the industry. I think the tub measurement is an approximate measurement and verification is in terms of tonnage. There is bound to be difference between approximate quantity and actual weight. Small differences may accumulate with each tub and form an

alarming figure. If such is the regular feature of the industry it is futile to hold any employee arbitrarily responsible for the same instead of searching out a better and more accurate mode of working. If such an arbitrary sword of breach of confidence is to be wielded by management then no workmen will be safe and slight annoyance may bring this hanging sword of Democles unto the head of the helpless in snapping his service even when it is so ripe that the fruits or benefits of the same envisaged for the old age disability just appear to be at hand.

8. Then again the question is whether it was a part of the duty of these overmen to keep an eye on actual stock position and countersign raising slips. The statutory duties under Regulation 43 relating to safety measures and continuous involvement in underground inspections etc. which take him to various nook and corners of the mine, would hardly give him respite to attend to the regular checking of raising of the Coal and Countersigning of the raising reports. Even if these Overmen were casually advised by the manager to countersign these reports, it will not amount to assignment of a duty under Regulation 43(1). No order in writing was ever passed for the assignment of that duty permanently. Moreover it amounted to asking a man to do an impossible job. Just as you cannot have an apple and eat it too so also an overmen could not be pinned down to a place to attend to raising reports for countersigning them and at the same time to move about in and around the mine, underground as well as on the surface, for inspection and for checking various safety measures.

9. The instruction to pay attention to the raising reports as well meant that an overman should whenever feasible apply occasional checks by at times countersigning the raising reports. There is no evidence to show that any overman ever did that job regularly. No raising report has been produced or proved for establishing that those instructions were ever adopted by these or any other overman as a regular part of their or his duties. Breach of such a casual and onerous instruction will not amount to either breach of faith or dereliction of duty. That is why Enquiry Officer admitted in cross-examination that his recommendation was for termination of service instead of dismissal because he apprehended that dismissal could not have stood the scrutiny of a Court of Law or Labour Court. That apart no Order was ever given in writing. Assignment of a duty under Regulation 43(1), if intended to be regularly discharged, could not but be made by an order in writing.

10. Then comes the question of regularity of enquiry, bias of the enquiry Officer and violation of the principles of natural justice. Enquiry Officer is not expected to suggest a punishment and say that charges are proved when as per his own admission the enquiry Officer knew that it was not correct and the sentence based on such an enquiry will not stand the scrutiny of the Court. If this is read in the light of the fact that he proposed termination because dismissal was not possible and raised the theory of confidence based on unfounded assumptions, it will go to speak volumes in favour of not only a biased but also a dishonest approach. So far as the question of violation of principles of natural justice is concerned it will be sufficient to point out that delinquent employees had no opportunity to effectively challenge the reality of the shortage, and the various contributory causes which led to shortage if any. It was again dishonest to speak of leniency when criminal prosecutions were launched and when it is obvious that the management wanted to cover up its weaknesses under the show of leniency.

11. In L. Michael and another Vs. M/s. Johnson Pumps India Ltd, 1975-I L.L.J. 262 the Supreme Court categorically observed that :—

"The Tribunal has power and indeed the duty to X-ray the order and discover its true nature, if the object and effect, if the attendant circumstances and the ulterior purpose are to dismiss the employee because he is an evil to be eliminated. But if the management to cover up its inability to establish by an enquiry, illegitimately but ingeniously passes an innocent looking order of termination simplicitor, such action is bad and is liable to be set aside. Loss of confidence is no new

armour for the management. Otherwise security of tenure ensured by the new Industrial jurisprudence and authenticated by a catena of cases of this Court can be subverted by this neo-formula. To hit below the belt is not the Industrial Law. We are constrained to express ourselves unmitigably lest industrial unrest induced by wrongful termination based on convenient loss of confidence should be generated".

The observations in Murugan Mills Ltd. Vs. Industrial Tribunal Madras 1965 I L.L.J. 422 were reiterated with added force and stress was laid on the principle that the Tribunal should remember the constitutional mandate of part IV obligating the state to make provision for securing just and humane conditions of work. Security of employment is the first requisite of worker's life. The blasted out theory of employer's right to 'Hire & Fire' completely negated the security of service. *Malus animus* has to be ruled out and the Tribunal has a right to tear out the veil and see whether termination was only a colourable exercise of power used in fact for victimisation or for perpetuating an unfair labour practice. In the facts and circumstances of the present case it is obvious that *malus animus* was present and it was plainly a colourable exercise of power. The bogie of loss of confidence can hardly be sustained and as such the order of termination need be set aside as colourable, illegal, void and unjustified and also because the finding of the enquiry Officer was perverse and based on no evidence.

12. The workmen shall therefore be presumed to have continued in service till the old management existed and shall be entitled to receive all wages and other benefits from it. B.C.C. Ltd. already gave them the employment. However for pensionary and other retiral benefits their service shall be deemed to have continued unabated till the date of retirement. The reference is answered accordingly.

Sd/-

S. N. JOHRI, Presiding Officer.

[F. No. 2/71/70-LRII]

S.O. 716.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court No. 3 Dhanbad in the industrial dispute between the employers in relation to the management of Pure Selected Tetulmari Colliery of M/s. Pure Selected Tetulmari Coal Co., P.O. Sijua, Distt. Dhanbad and their workmen which was received by the Central Government on the 19th January, 1976.

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-

LABOUR COURT No. 3, DHANBAD

Reference No. 2 of 1972

Presiding Officer : Shri S. N. Johri, B.Sc. LL.M.

PARTIES :

Employers in relation to the management of Pure Selected Tetulmari Colliery of M/s. Pure Selected Tetulmari Coal Co. P.O. Sijua, Distt. Dhanbad.

AND

Their Workmen represented by Shri Lal Mohan Bhattacharya.

APPEARANCES :

For Employers—1. Shri B. M. Prasad Advocate. Shri S. S. Mukherjee, Advocate.

For Workmen—Shri R. K. Rakshit, Advocate.

Industry : Coal.

State : Bihar.

Dated, Dhanbad the 15th January, 1976

AWARD

The Government of India in the Ministry of Labour vide its order No. L/20012/10/72-LRII dated 21-3-72 referred under Section 10 of the following industrial dispute for adjudication.

"Whether the action of the management of Pure Selected Tetulmari Colliery of M/s. Pure Selected Tetulmari Coal Co., Post Office Sijua, Distt. Dhanbad in stopping from work Sri Lal Mohan Bhattacharya, Electrician, with effect from the 30th September, 1971 is justified. If not to what relief is the concerned workman entitled?"

2. Workman's case is that he was employed as electrician by the said Company on 18-5-1971. He was given authorisation under the Mines Act, from 30-9-1971 he was unjustifiably stopped from work without notice, charge or enquiry and without assigning any reason. The order was oral.

3. The old employer i.e. M/s. Pure Selected Tetulmari Coal Co., denied that the said workman was ever an employee of that Colliery. Hence the question of stoppage or the question of the justification of stoppage did not arise. He was an employee of Pure Nichitpur Colliery and at times the employer availed of his services for maintenance of electric installation in his Bungalow. Maintainability of reference at the instance of individual workman has been challenged and it is alleged that S. 2(S) is unconstitutional being discriminatory.

4. The workman's case is that he was an employee of Pure Nichitpur Colliery only upto 18-5-1971 i.e. before the date on which he became the employee of this Tetulmari Colliery B.C.C. Ltd., has disowned all liability for the act of the old employer.

5. The legal point about maintainability and the constitutional point of discriminatory legislation can be dismissed as arguments of desperation. These objections have no force whatsoever.

6. Workman has proved Ext. W-1 which is an authorisation issued on 18-5-1971 under Mines Act. That authorisation mentions him as an electrician of Pure Selected Tetulmari Colliery. Ext. W-2 is the certificate given by the manager of the said Colliery on 22-6-71 that the workman was an employee of that Colliery and was working as electrician. These two documents read with the unrebutted statement on oath made by Shri Bhattacharya as WW-1 prove that he was an employee of that Colliery since 18-5-71. He has stated on oath that he was unjustifiably stopped since after Puja holidays which date coincides with 30th September, 1971 mentioned in the reference. There is no rebuttal and no reason to disbelieve him. Old employer's denial in W. 8 is palpably false and that is why it has not dared to come in the witness box or produce other evidence in rebuttal.

Shri Bhattacharya says that the employer paid him a lump sum amount of Rs. 100/- before Puja. No other payments were made. However the question of wages before the stoppage is beyond the scope of the reference. Tribunal is concerned only with the relief that could be granted for the idle period after 30-9-1971.

B.C.C. Ltd., has alleged and produced the evidence Ext. W-1 that since 8-11-71 this workman is in the employment of Golukdih Colliery which on merger became Kua Colliery and is now under B.C.C. Ltd. Thus he suffered an idle period from 1-10-71 to 7-11-71. For 31 days he should be compensated by the old employer. The pay and grade of electrician in Pure Selected Tetulmari Colliery are not known. However by way of compensation for the said idle period, the old employer should pay Rs. 200/- to the workman. B.C.C. Ltd., shall grant him continuity of service since 18-5-71 and all consequent benefits.

The reference is answered accordingly.

Sd/-

S. N. JOHRI, Presiding Officer.

[F. No. 20012/10/74-LRII]

G. C. SAKSENA, Under Secy.